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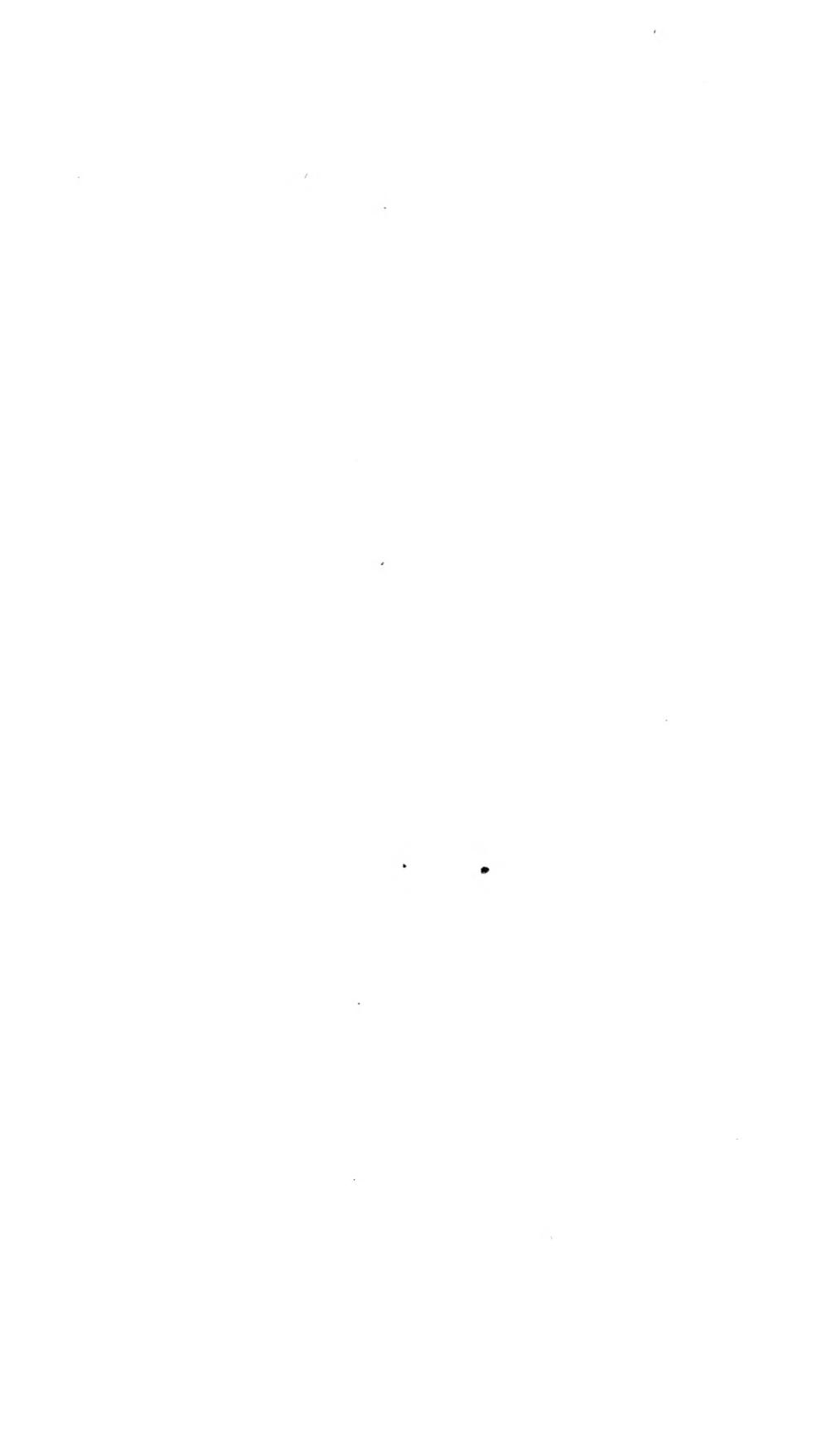
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LAWS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF PENNSYLVANIA,  
1864

PASSED AT THE

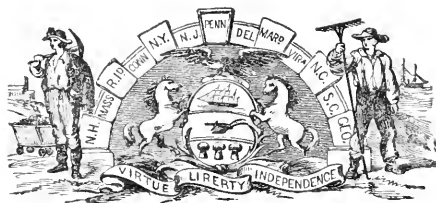
SESSION OF 1864,

In the Eighty-Eighth Year of Independence.

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With an Appendix.

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HARRISBURG:

SINGERLY & MYERS, STATE PRINTERS,  
1864.



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BY AUTHORITY.

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# L A W S

OF THE

## COMMONWEALTH OF PENNSYLVANIA.

---

No. 1.

### An Act

Supplementary to an act incorporating the town of Lawrenceville into a borough, approved the thirteenth day of February, Anno Domini one thousand eight hundred and thirty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act to which this is a supplement, and the *Boundaries ex-* several supplements thereto, as describes and fixes the bounda- *tended.* ries of said borough, be enlarged and extended as follows: Beginning at the north-west corner of St. Mary's cemetery; thence down St. Mary's avenue to Cemetery street; thence along the line of said Cemetery street, and lands of John H. Shoenberger, to M'Cullough's street; and thence along the east line of said M'Cullough's street to Church street; and thence along the south line of said Church street, to the northern line of St. Mary's cemetery; and thence along said line to the place of beginning.

SECTION 2. That the said borough shall be divided into two *Divided into* wards, as follows: Beginning at a pin at the Allegheny river; *two wards.* thence southward along the centre of Covington street, to the Pittsburg and Greensburg turnpike road, and across said road, on the same course, to a point on lands of David Wool-slayer's heirs, to the borough line; and that so much of said borough as lies west of said line shall be one ward, and be called the First ward; and so much of said borough as lies east of said line shall be one ward, and be called the Second ward.

SECTION 3. That each of said wards shall be separate elec- *To be separate* tion districts, and all general and borough elections shall be *election dis-* held as follows, to wit: For the First ward, at the public school *tricts.*

house, number one; for the Second ward, at the public school house, number two, on Bellefontaine street, in said ward.

Election of bur-  
gess and coun-  
cilmien.

SECTION 4. That the legislative powers of said borough shall be vested in one burress and eight councilmen, five of whom shall, on the next annual election, to be held on the second Tuesday of March, Anno Domini one thousand eight hundred and sixty-four, be elected as follows: The qualified electors of the First ward shall elect two persons to represent them in town council, to serve two years, and the qualified electors of the Second ward shall, at said election, elect three persons of said ward, two of whom shall serve for two years, and one of whom shall serve for one year; and at the election to be held on the second Tuesday of March, Anno Domini one thousand eight hundred and sixty-five, and annually, thereafter, the qualified electors of said borough shall elect two members from the First ward, and two members from the Second ward, to serve for two years; and Jacob Wainright shall be judge, and A. Hoeveler and Mahlon Bosworth, the inspectors, to hold the first election, after the passage of this act, in the First ward of said borough; and the said inspectors shall appoint a clerk, or clerks, for said election, as provided for by the existing laws, who shall hold their offices till the next election for election officers of said borough: *Provided*, The present election officers of said borough shall hold the first election, after the passage of this act, in the Second ward of said borough, at the public school house, number two, on Bellefontaine street, in said ward, who shall hold their offices until the next election for election of officers in said borough; no person shall be eligible to be elected as a member of council who is not a citizen of the borough, qualified to vote for borough officers, nor unless, at the time of his election, he is a resident of the ward from which he is elected; a majority of council shall constitute a quorum.

Officers to hold  
the first elec-  
tion.

Eligibility of  
councilmen.

Quorum.

Mode of collect-  
ing the borough  
tax changed.

SECTION 5. That in lieu of the mode now provided by law for collecting the borough tax within the borough limits, the same shall be done as follows: As soon after the organization of council in each and every year as practicable, and no later than the first day of June, the town council shall fix the rate per cent. of the tax according to existing laws, and cause a duplicate of the same to be made out and placed in the hands of the borough treasurer, who, thereupon, shall give notice, by advertisement, in one or more papers, and by handbills, that the same is in his hands, and that he is ready to receive taxes; on all taxes paid on or before the first day of August, the treasurer shall allow an abatement of five per centum; on all paid subsequent to the first day of August, and prior to the first day of September, he shall receive the amount in full; and on all paid to him subsequent to the first of September, he shall add five per centum; on the first day of October, in each year, the treasurer shall make out a list of delinquent taxpayers, with the amount due from each, with ten per cent. additional added: *Provided*, That no additional amount shall be less than ten cents; and place the same in the hands of the high constable, whose duty it shall be to receive the same under a penalty of fifty dollars; and the said treasurer is hereby au-

Abatements  
allowed.

Additions.

Constable to  
collect from de-  
linquents.

thorized to issue, to said constable, his warrant to collect said tax, granting him all the powers and immunities now by law vested in collectors of county rates and levies: *Provided*,<sup>Proviso.</sup> That no further, or additional, notice to tax-payers shall be required than the advertisement aforesaid: *And provided further*,<sup>Proviso.</sup> That it shall be the duty of the said constable to proceed, immediately, to collect the same by levy, distress and arrest, in obedience to his warrant, and make return of his warrant, and the amount collected, within sixty days from the time the same is placed in his hands; and on failure to do so, or faithfully execute his warrant, he shall be personally responsible for the amount not collected, except such amount as the council may have previously exonerated him from; and the said amount, for which he becomes responsible, may be recovered from him, by the borough, as other debts are by law recoverable; the said treasurer, and constable, shall give bonds, conditional for the faithful performance of the duties of their said offices.<sup>Treasurer and constable to give bonds.</sup>

• HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 2.

## An Act

To pay the Chief Clerks, Assistant Clerks, and other retiring officers of the Senate and House of Representatives.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer shall pay, to all the officers who have returned and assisted in the organization of the House of Representatives, and to William H. Huddleson, a transcribing clerk of the Senate, ten days' pay and mileage; and to the following officers of the Senate, viz: J. R. M'Affee, transcribing clerk, John F. Cochran, sergeant-at-arms, Samuel Dickson, assistant sergeant-at-arms, Jacob Zimmerman, John L. Work and A. J. Peters, assistant door-keepers, Louis A. Webster, door-keeper in the rotunda, and Thomas Walker, assistant messenger, all of whom have returned, and been engaged in the Senate up to the first of March, sixty days' pay and mileage, and one hundred dollars each, in lieu of the usual salary,<sup>Appropriations</sup>

and extra compensation; and that section sixty-three of the general appropriation bill for the year one thousand eight hundred and sixty-three, be and the same is hereby repealed.

Repeal.

Service of writs  
for certain special  
election.

SECTION 2. That the state treasurer shall pay to John F. Cochran, sergeant-at-arms of the Senate, the sum of ninety-five dollars and forty cents for mileage, and service of writs on the sheriffs of Armstrong and Indiana counties, directing an election to be held to fill the vacancy caused by the resignation of Harry White, Senator from the twenty-first senatorial district.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 3.

## An Act

To authorize the payment of Bounties to Volunteers in the county of Bradford.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Road commis-  
sioners and bo-  
rough authori-  
ties authorized  
to levy tax for  
payment of  
bounties.

That the road commissioners of any township, and the corporate authorities of any borough, in the county of Bradford, are hereby authorized to levy, assess, and collect, a tax upon all property, trades, occupations, and professions, made taxable for state and county purposes in said townships and boroughs, sufficient to pay to each volunteer, actually mustered into the military service of the United States, under the late calls of the President, and credited to such township or borough, a bounty, not to exceed three hundred dollars.

Collection of.

SECTION 2. That the tax authorized by the foregoing section shall be levied, and collected, as other township and borough taxes are levied and collected, and paid to the proper township or borough treasurer, who shall receive one per cent. for receiving and disbursing the same.

May borrow  
money and is-  
sue bonds  
therefor.

SECTION 3. That for the purpose of paying the bounties authorized by this act, the road commissioners of any township, or the corporate authorities of any borough, may borrow money and issue bonds, scrip, or other evidence of indebtedness, paya-

ble at such times, and in such manner, as may be agreed upon, out of the proceeds of the tax authorized by the first section of this act.

SECTION 4. That in cases where individuals of any township or borough, in said county, shall have subscribed and paid, or become personally liable for the payment of money, for the purpose of paying bounties to volunteers, under the late call of the President of the United States, who have been mustered into the United States military service, and credited to such township or borough, with the understanding, or expectation, that a law would be enacted to levy and collect a tax upon such township, or borough, for the payment of such advancements and liabilities, all subscriptions so paid, or money borrowed as aforesaid, shall be good and valid against said borough, or township, as if the said sums of money had been borrowed by the corporate authorities of the same, under the provisions of this act; and it shall be the duty of the road commissioners, supervisors or councils, as the case may be, to proceed to levy and collect a tax upon such township or borough, sufficient to pay the principal of all such claims, with interest thereon, at six per cent. per annum, until the day of payment: *Provided*, That the property of non-commissioned officers and privates, actually in the military or naval service of the United States, shall be exempt from any taxation under the provisions of this act.

Individual sub-  
scriptions to be  
refunded.

Taxation.

Exemptions.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 4.

## An Act

Authorizing the Commissioners of Chester county to borrow moneys, and pay Bounties to Volunteers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Chester are hereby authorized, and empowered, to borrow, on the faith and credit of said county, any sum, or sums, of money, not exceeding, in the whole, six hundred thousand dollars, and to issue bonds

Authorized to  
borrow money  
and issue bonds

**Appropriation.** or other evidences of indebtedness therefor, and to appropriate said moneys, or so much thereof as may be necessary, to the payment of bounties, in such sums as they may think proper, to every person who has enlisted or volunteered, or who may hereafter enlist or volunteer, in the military service of the United States, under the last call of the President, and who shall be, or is now, credited to the quota to be furnished by said county under said call.

**Taxation authorized.** SECTION 2. That the said commissioners are hereby authorized, from time to time, to levy, assess and collect, tax, in addition to the taxes now levied, assessed and collected, sufficient to pay the interest on the moneys borrowed by virtue of the provisions of this act, and to reduce, and pay off, the principal, from time to time, as they, in their discretion, may think proper.

**Payments made and loans negotiated, prior to the passage of this act, legalized.** SECTION 3. That all payments of bounties made by said commissioners, prior to the passage of this act, to persons who have volunteered, and been credited to the quota of the said county, under the said last call of the President, and all loans negotiated, or moneys borrowed for or on the credit of the said county, for such payments, and the bonds, or other evidences of indebtedness, issued, or to be issued, therefor, be and the same are hereby ratified, legalized and made valid; and all payments of bounties made by virtue of this act, shall be allowed said commissioners, on the settlement of their accounts, as other payments are by law allowed.

**Bounties paid to militia in 1863 made valid.** SECTION 4. That all bounties paid by the said commissioners, to persons who volunteered in the defence of the state, to repel the rebel invasion in the summer of Anno Domini one thousand eight hundred and sixth-three, be and the same are hereby legalized and made valid.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 5.

## An Act

To punish the Recruiting of men for the Volunteer Service of other States.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That no person shall, within this state, recruit, or enlist, or attempt, or offer, to recruit, or enlist, any man, or men, to serve as a volunteer of any other state, or shall, in any way, procure, or attempt to procure, any man, or men, to leave this state, for the purpose of enlisting in the volunteers of any other state, and any person offending in the premises, or any of them, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be subject to a fine, not exceeding five hundred dollars, and be imprisoned, at hard labor, for a term not exceeding twelve months; and all fines imposed under this act shall be paid to the person who shall have prosecuted the party offending to conviction.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 6.

## An Act

Regulating the elections in the city of Reading.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the select and common councils of the city of Reading, on or before the fifteenth day of March, in the year one thousand eight hundred and sixty-four, shall be required to divide the several wards in said city into election precincts, of not more than five hundred taxable inhabitants, or as near that number as practicable, and shall appoint a suitable place for holding the elections in each precinct or ward; and said councils shall annually communicate to the sheriff of the county of Berks the places so appointed, who shall publish the same in his proclamation: *Provided*, That the select and common councils of the city of Reading shall be authorized to change the places of holding their ward and general elections, in the same manner and under the existing laws passed prior to the passage of this act

Councils to divide wards into election precincts.

Places of holding elections.

Proviso.

*SECTION 2.* That the officers elected in the several wards in said city, in March, one thousand eight hundred and sixty-

Election officers.

three, shall appoint officers to conduct the next election in the additional precincts hereby created, in the following manner, to wit: In case any of the said wards have been divided into precincts, then the judge of said ward shall appoint one person to act as judge of each additional precinct, and each inspector shall appoint one person to act as inspector for each additional precinct, and the said inspectors shall each appoint one clerk, and the judges, inspectors and clerks shall severally be sworn or affirmed, according to law, and shall perform all the duties, and be subject to all the penalties and restrictions, now imposed upon election officers: *Provided*, That hereafter the judges and inspectors shall be elected, in the several precincts, or wards, by the qualified voters thereof, in the manner, and the time, now directed by law.

**Proviso.**

**Mode of making returns.**

SECTION 3. That the judge, inspectors and clerks of each precinct of the several wards of the city of Reading, shall meet together, at the court house, in said city, on the second day (Sunday excepted) after any election, and there add together the number of votes given for each person voted for, and make out the returns, as the nature of the election may require, complying, in all respects, with the provisions of the existing laws of this commonwealth.

**Time and places of holding elections.**

SECTION 4. That hereafter all elections, (except military,) in the city of Reading, shall be held within the several precincts, or wards, of said city, and the polls, at said elections, shall be opened at, or before, eight o'clock in the morning, and shall be closed at eight o'clock in the evening; the judges, inspectors and clerks shall each receive the same compensation, for their services, in conducting each election, as is now provided by law.

**Pay of officers.**

**Duties of county commissioners.**

SECTION 5. That the commissioners of the county of Berks shall furnish the necessary boxes, blanks and papers, for holding the elections, in each of said precincts, and they shall also furnish a list of taxable inhabitants of each precinct or ward, as now required by law.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and sixty-four.



No. 7.

**An Act**

To change the place of holding the general, special, and borough, elections in the borough of West Greenville, in the county of Mercer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, all general, special, and borough, elections in the borough of West Greenville, in the county of Mercer, shall be held at the public house now owned and occupied by William Stoughton, in said borough.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 8.

**A Further Supplement**

To an act to incorporate the city of Harrisburg, in the county of Dauphin, approved March nineteenth, one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That each and every ward, in the city of Harrisburg, shall be entitled to a representation, in the common council, by a resident of the ward; and in case of the removal of any such councilman from the ward which he was elected to represent, his seat shall be declared vacant by the common council, at their next meeting, or as early as possible, at which time, a special election shall be ordered to supply the vacancy; and in case such vacancy shall be declared within thirty days previous to the day of holding the annual elections for said city, the same shall be filled at such regular election: *Provided,*

## LAWS OF PENNSYLVANIA,

at least five days' previous notice of the filling of such vacancy be given in two daily newspapers, published in said city.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 9.

## An Act

Providing for the election of a State Treasurer.

WHEREAS, The Senate and House of Representatives failed to meet in joint convention, on the third Monday in January, one thousand eight hundred and sixty-four, to elect a state treasurer, as provided by law; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Senate and House of Representatives shall, at half past eight o'clock post meridian, on Wednesday, the sixteenth day of March, one thousand eight hundred and sixty-four, and, on the second Wednesday after the first Tuesday of January, in each succeeding year, proceed to elect a state treasurer, in the manner provided by the act, entitled "An Act relating to elections in this commonwealth," approved the second day of July, one thousand eight hundred and thirty-nine, and the joint resolution, in relation to the election of state treasurer, approved the fifteenth day of January, one thousand eight hundred and forty-two; and so much of any former act of assembly as is hereby altered, or supplied, be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

## No. 10

## A Supplement

To an act, entitled "An Act to authorize the Lehigh Coal and Navigation Company to extend their Railroad from White Haven to Mauch Chunk," approved the fourth of March, one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That to enable the Lehigh Coal and Navigation Company to consolidate their loans, they are hereby authorized to increase the sum of money, which they are authorized to borrow, by the fourth section of the act to which this is a supplement, and secure the same, as therein provided, by an additional amount, equal to the present funded debt of the said company, and to use the bonds to be issued, or moneys to be borrowed, under the provisions of the said fourth section, or of this act, or any part thereof, at their discretion, to pay off, or cancel said debt, or any part thereof, and the whole amount of money, so borrowed, shall be secured by the same mortgage. May borrow an additional am't of money.

SECTION 2. That the said company be and they are hereby authorized to extend their railroad from Mauch Chunk, down the valley of the Lehigh, to the river Delaware, or to any intermediate point, and to connect the same with other railroads authorized, or running to, or along said valley, to build branches, not exceeding eight miles in length, each to cross the Lehigh, by one or more bridges, if necessary, with the main road, or its branches, to cross other railroads at grade, and to erect a bridge across the river Delaware, and to connect their said railroad with any railroads now constructed, or that may hereafter be constructed, in the vicinity, in the state of New Jersey: Extension of road, connections and branches, authorized. *Provided,* That in so doing, the navigation of the Delaware shall not be injured, and that before erecting said bridge, concurrent legislation in New Jersey shall first be obtained; that the governor shall appoint three competent persons, as commissioners, who, in conjunction with the chief engineer of said company, shall proceed to locate the piers and abutments of said bridge, and that the railroad company shall be required to pay the expenses of such commissioners. May erect a bridge across the Delaware.

SECTION 3. That the provisions of the fifth section of the act to which this is a supplement, be and the same are hereby extended, so as to embrace the railroad and branches, and the bridges hereby provided for. Proviso.

SECTION 4. That it shall be lawful for the said company to increase their capital stock, from time to time, to such an amount as may, in the opinion of the board of managers, be necessary to cover the sums expended, or to be expended, in the con- Certain provisions extended to. Capital stock may be increased.

struction of their works and improvements, which have been, or may be authorized by law.

When road to  
be commenced  
and completed.

SECTION 5. That the said company shall, within two years from the date hereof, commence some portion of the railway authorized, and complete the same within seven years from the passage of this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 11.

## Supplement

To an act to change the place of holding the Elections in certain townships in Dauphin county, approved April twenty-second, Anno Domini one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the place of holding the several elections for the township of Upper Paxton, is hereby changed from the house of J. G. Yager, to the north window of the brick school house, in the borough of Millersburg, in the county of Dauphin; and so much of the act of assembly, entitled "An Act in relation to establishing and changing the places for holding general elections throughout the commonwealth," approved April twentieth, Anno Domini one thousand eight hundred and fifty-four, as is inconsistent with this act, be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 12.

*An Act*

For the relief of Daniel Fuller, a disabled soldier.

WHEREAS, Daniel Fuller, a private in company G, fifty-third regiment, of Pennsylvania volunteers, at the battle of Antietam, lost both his arms, rendering him entirely helpless :

*And whereas,* The pension which he receives from the United States government is barely sufficient for his support ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby directed to pay the said Daniel Fuller, the sum of two hundred dollars, for the purpose of enabling him to purchase artificial arms.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 13.

*An Act*

To compel the Erie Canal Company to construct, and keep in repair, the bridges made necessary by the construction of their canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the Erie Canal Company be and they are hereby required to build, repair, and keep in repair, all bridges, over their canal, on public roads, and streets, crossing the same, and also all bridges crossing the French Creek feeder, made necessary by reason of the construction of the canal and feeder, except the

## LAWS OF PENNSYLVANIA,

bridges over the slack water, used by said company; and if said canal company should, at any time, refuse, or neglect, to build, repair, or keep in repair, any of the said bridges, then the proper authorities, now having charge of the said bridges, shall build, repair, or keep in repair, the said bridges, and shall keep an accurate account of the expenses of the same; which said expenses shall be a lien on all the property, rights, and franchises, of said company, in the same manner as taxes are now by law a lien thereon, and shall be collected, from the said company, in the same manner as taxes are now by law collected from corporations within the commonwealth, or may be recovered by sale at law as debts of like amount are by law recoverable.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY.

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-four,

A. G. CURTIN.

No. 11.

### An Act

Authorizing the Commissioners of Perry county to appropriate a certain sum of money for making a Mountain Road in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Perry are hereby authorized and directed, to appropriate the sum of six hundred dollars, out of any money in the county treasury of said county, not otherwise appropriated, for the purpose of aiding the townships of Toboyne and Jackson, in said county, in making a mountain road, recently laid out in said townships, from a point in the road leading from Newville to Blain, at or near S. and J. Lupfer's tannery, in Jackson township, to a stake, on the line between the counties of Cumberland and Perry, in Toboyne township, and confirmed at the April sessions of the court of quarter sessions of Perry county, Anno Domini one thousand eight hundred and sixty-three: *Provided*, That four hundred and ninety dollars of the sum aforesaid, be appropriated to the township of Toboyne, and one hundred and

ten dollars of the sum aforesaid, be appropriated to the township of Jackson.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

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No. 15.

### A Further Supplement

To an act incorporating the Penn Mutual Life Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all life premiums, hereafter paid to the said company, whether by note, or in cash, shall participate equally in such division of surplus as shall hereafter be declared, in pursuance of the provisions of section fourteen of the act of incorporation of the said, the Penn Mutual Life Insurance Company.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 16.

**A Further Supplement**

To an act passed the thirteenth day of March, one thousand eight hundred and sixty-two, to authorize the arrest of professional thieves, burglars, et cetera, in the city of Philadelphia.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first section of an act to authorize the arrest of professional thieves, burglars, et cetera, in the city of Philadelphia, approved March thirteenth, one thousand eight hundred and sixty-two, be and the same are hereby extended to authorize the arrest of professional thieves, burglars, or pickpockets, at any hotel, restaurant, auction sale, in private residence, passenger car, or at any other gathering of people, whether few or many, in the cities of Philadelphia, Allegheny, Lancaster, Harrisburg and Pittsburg.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 17.

**An Act**

Authorizing the Commissioners of Erie county, and the authorities of the city of Erie, and the several boroughs and townships in said county, to pay Bounties to Volunteers for the Army of the United States, and to levy and collect taxes therefor.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That all scrip, bills, bonds, warrants, certificates, and other evidence of indebtedness, heretofore issued by commissioners of Erie county, and by the corporate authorities of the city of

Bonds, certificates, &c., heretofore issued, legalized.



Erie, and the several boroughs and townships in said county, or either of them, for the purpose of paying bounties to volunteers for the army of the United States, be and the same are hereby legalized.

SECTION 2. That the commissioners of said county are hereby authorized to issue scrip, bills, bonds, warrants, or certificates of indebtedness, with, or without, interest, and in such sums and form as they may determine, but not, in the aggregate, to exceed three hundred and twenty-five thousand dollars.

Additional bonds, &c., may be issued by county commissioners.

SECTION 3. That the said commissioners are hereby authorized to levy an annual tax upon the taxable property of the county of Erie, assessed for state and county purposes, not exceeding three cents on the dollar, and collect the same, from year to year, as state and county taxes are collected, which tax shall be exclusively applied towards the liquidation of the said indebtedness: *Provided*, That no volunteer soldier, or non-commissioned officer, or drafted militia man, actually mustered into the service of the United States, from said county, or who shall have been honorably discharged therefrom, or widow, or minor heirs of such as have died in said service, shall be required to pay any taxes now assessed, or hereafter to be assessed and levied, pursuant to the provisions of this act, except such discharged soldiers, or soldiers in service, as have received the bounty for the payment of which such tax is levied.

Commissioners authorized to levy tax.

Exemptions.

SECTION 4. That the corporate authorities of the city of Erie, and of the several boroughs in the county of Erie, and the road commissioners of the several townships in the said county, be and the same are hereby severally authorized to levy and collect taxes, from time to time, in said city, boroughs, or townships, for the purpose of paying bounties to volunteers for the army of the United States, and also for the purpose of paying any money borrowed, or raised on subscription, which has been appropriated to the payment of bounties aforesaid: *Provided*, That no money raised on subscription shall be refunded unless it was agreed, and stipulated, in such subscriptions, that it should be refunded, or re-paid.

Corporate authorities and road commissioners of townships may levy taxes.

Subscriptions, relative to.

SECTION 5. That the taxes, provided for by this act, shall be levied upon all property assessed for state and county purposes; but it shall be lawful for said authorities, in the said city of Erie, and the several boroughs and townships in said county, in lieu of a property tax, to levy a poll tax of two dollars upon all persons whose property tax would be less than two dollars, and that said taxes shall be collected by the several collectors of state and county taxes, and paid over to the several authorities assessing the same; and the said collectors shall have the same power to enforce collections as they have by law to enforce the collection of other taxes; and their compensation shall not exceed two per centum of the amount collected; and that the county commissioners may, upon application of the several city, borough, or township, authorities, or either of them, require the said collectors to give additional bonds, to secure the amount of the duplicates placed in their hands by the provisions of this act.

How taxes to be levied, and collected.

Settlements to  
be made.

Exonerations.

SECTION 6. That the several authorities authorized to levy the taxes, provided for in this act, shall make settlements, of the disposition of the money so raised, with the auditors of the respective county, city, boroughs, or townships, and shall have the same authority to grant exonerations from taxes that the county commissioners now have.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 18.

## An Act

To provide for the payment of the expenses of the Transportation and Telegraph Department.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sum of thirty-five thousand dollars, out of any moneys in the treasury not otherwise appropriated, or so much thereof as may be necessary, is hereby appropriated for all lawful accounts of railroad, telegraph, and transportation companies, for services rendered to the commonwealth in the transportation of sick, wounded, and deceased, soldiers, and their attendants, of rejected recruits, of persons necessarily traveling in the military service of the state, and of arms and munitions of war, and any lawful and necessary expenses of the telegraph and transportation department of the state, connected with the care and transportation of sick, wounded, and deceased, soldiers, and also, for the payment of all lawful and necessary expenses incurred by said telegraph and transportation department of the state, connected with the removal of the archives and property of the state, and the calling out of the militia to repel invasion by the rebels, in the summer of one thousand eight hundred and sixty-three: *Provided,* That all accounts to be paid, under the provisions of this act,

shall first be audited and approved by the auditor general of the state, if not already audited.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

### No. 19.

## A Further Supplement

To an act to divide the borough of Scranton into two wards.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That so much of the South ward of the borough of Scranton, in the county of Luzerne, as lies between the boundary line of the North ward, and the following line, viz: beginning at the point where the Roaring brook crosses the line dividing the borough of Scranton from the borough of Dunmore; thence following down the course of said brook till it is intersected by the line of Pittston avenue; thence along the centre of said avenue to the Stafford Meadow brook; thence down the same to the Lackawanna river, and thence up the same to the line of the North ward, be erected into a ward, to be called the Middle ward.

An additional ward created.

Boundaries.

Name.

SECTION 2. That the ward so erected, and the remainder of the South ward, shall each be separate election districts, and all persons resident in either thereof, and qualified voters, shall be entitled to vote at all elections held in their respective wards. That the place of holding the election, for the Middle ward, shall be at the Washington hotel, on Cedar street; and the place of holding the election, for the South ward, shall be at the house of Martin Savall, on Prospect street.

To be a separate election district

Places of holding elections in the Middle and South wards.

SECTION 3. That the officers of the election board, elected at the last spring election, residing in either the Middle ward, or the South ward, shall exercise their respective offices in the ward in which they reside, and that any deficiency that may exist in the election board, in either, or both of the said wards, shall be supplied in the same manner as provided for by law in case there had been a full board elected in each of the said wards, and a portion, or the whole, of the said board had been absent at the time and place of holding the said election.

Election officers

Officers to be  
elected by the  
respective  
wards.

SECTION 4. That at the time of holding the next election, for borough officers, in said borough, the qualified electors of the Middle ward shall elect one person to serve as a member of town council for three years; one person to serve as a member of town council for one year; two persons to serve as justices of the peace; one person to serve as school director for three years, and one person to serve as school director for one year: the qualified electors of the South ward, one person to serve as a member of town council for three years; one person to serve as member of town council for two years; one person to serve as school director for three years, and one person to serve as school director for two years: the qualified electors of the North ward, one person to serve as member of town council for three years, and one person to serve as school director for three years: the qualified electors in each of the three wards shall elect one person to serve as constable; one person to serve as assessor; one person to serve as assistant assessor, each for one year, and one person to serve as auditor for two years; and annually thereafter, the qualified electors of each of the said three wards shall elect one person to serve as a member of town council, and one person to serve as school director, each for three years; one person to serve as auditor for two years, and one person to serve as constable; one person to serve as assessor, and one person to serve as assistant assessor, each for one year. In all cases the person elected is to be a resident of the ward for which he shall be elected, and in case of his removal from the ward, his office shall be vacant.

Duties and powers of president of councils.

SECTION 5. That the town council shall, annually, at their first meeting after each election for borough officers, appoint one of their own body as chairman, who shall preside at the meetings of the town council, and shall possess all the powers heretofore vested in the chief burgess, so far as meeting, voting, presiding, or in any way co-operating with the town council, are concerned. They shall also, at the same time, appoint one suitable person as borough treasurer, to serve for one year, who shall give bonds, as provided for by law. No person shall be elected as street commissioner, but all work upon the streets, in the said borough, shall be done under the direction of the street committee of the town council.

Treasurer.

Streets.

Election of chief burgess.

SECTION 6. That the manner of deciding the result of the election of chief burgess shall be as provided for in the fifth section of the act to which this is a supplement.

New ward to elect director of the poor.

SECTION 7. That the qualified electors of the Middle ward shall, at the next spring election, and at the spring election in every third year thereafter, elect one suitable person as a director of the poor of Providence for three years. He shall, when duly qualified, be a member of the corporation of the directors of the poor of Providence, having the charge of the poor of the said borough of Scranton.

Grading, paving &c., side walks, relative to

SECTION 8. That the powers conferred by articles fifth and sixth of section two of the act of assembly, approved April third, one thousand eight hundred and fifty-one, entitled "An Act regulating boroughs," or the borough authorities, as to grading, curbing, paving and guttering the side or foot walks, in said borough of Scranton, and collecting the cost thereof

from the owner or owners of the lots of ground respectively fronting thereon, shall be construed to extend as well to repairs and renewals of the grading, curbing, paving and guttering of the said side or foot walks as to the original construction thereof.

SECTION 9. That all acts, or parts of acts, inconsistent with the provisions of this act, are hereby repealed, so far as they affect the said borough of Scranton.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 20.

## An Act

Relating to the Coroner of Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the coroner of Chester county to appoint, within the limits of said county, so many deputies as he shall deem expedient, which deputies shall be justices of the peace, and shall, in his absence, perform all the duties pertaining to the office of coroner in said county, except the duties of the coroner, when acting as sheriff. And it shall not be lawful for any justice of the peace, except such as may be appointed deputies as aforesaid, to perform any of the duties pertaining to the office of coroner, within ten miles of the residence of said coroner, or of any of his deputies: *Provided*, That immediately after the appointment of any deputy or deputies, the coroner shall give notice thereof, and of the residence of such deputy, or deputies, by publication once a week, for four successive weeks, in two newspapers published in said county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 21.

## An Act

To change the place of holding the elections of Cherry township, in the county of Butler.

WHEREAS, The building in which the elections of Cherry township, in the county of Butler, have been held, is now unoccupied, and become dilapidated, and no court will be held in said county before the time fixed by law for holding an election therein; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the place of holding the general and township elections, for the township of Cherry, in the county of Butler, be changed from the house lately occupied by Joseph Thompson, deceased, to the house of William Lindsay, in said township.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 22.

## An Act

To vacate Stump lane, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a certain lane, commonly called Stump lane, from Columbia avenue, west of Fifteenth street, to Turner's lane, in the city of Philadelphia, be and the same is hereby vacated; and the title to the land, over which the same passes, is hereby vested, in fee simple, in the several owners of grounds adjoining, and fronting, on the said lane, respectively; each owner to

have, and to take, one-half part to the middle thereof, so far as his respective lot adjoins, and fronts, on the said lane.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 23.

## An Act

To repeal so much of section twenty-ninth of the act to provide for the ordinary expenses of the Government, and other general and specific appropriations, approved April fourteenth, one thousand eight hundred and sixty-three, as makes the number of Pupils attending the schools the basis of the distribution of the appropriation for Common School purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That so much of section twenty-ninth of the act, entitled "An Act to provide for the ordinary expenses of the government, and other general and specific appropriations," approved April fourteenth, Anno Domini one thousand eight hundred and sixty-three, that provides that warrants drawn by the superintendent of common schools, for their support, shall be in proportion to the number of pupils attending schools therein, by the superintendent's report of one thousand eight hundred and sixty-three, be and the same is hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No 24.

*An Act*

Relating to the Orphans' Court of Berks county.

Time of holding fixed.

Return days, and rules relative to.

Repeal.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the stated sessions of the orphans' court of Berks county shall commence, as heretofore, on the first Thursday after the third Saturday succeeding the last day of each term of the court of common pleas of said county, and shall continue so long as may be necessary.

**SECTION 2.** That said orphans' court shall have power to fix the return days of all rules, and process, issuing out of said court; and, from time to time, to make rules for the regulation of the practice of said court, not inconsistent with the act of twenty-ninth March, one thousand eight hundred and thirty-two, entitled "An Act relating to orphans' courts."

**SECTION 3.** That the act of assembly, approved April thirteenth, one thousand eight hundred and fifty-eight, entitled "An Act regulating the time of holding the orphans' court of the county of Berks," be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 25.

*An Act*

To authorize a change of investment in the city of Philadelphia.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the city of Philadelphia shall have power, by deed, to extinguish any of the ground rents devised by James Dutton



to the guardians of the poor, and to invest the consideration thereof in certificates of the debt of the city of Philadelphia, in trust for the uses and purposes created by said will.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 26.

## An Act

To change the time of holding the Township Elections in Brady township, Union county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter, the election for township officers in Brady township, Union county, shall be held on the third Friday of February, instead of the third Friday of March.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 27.

**An Act**

To incorporate the Preston Improvement Company.

Corporators.	<p><b>SECTION 1.</b> <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i></p>
Title.	<p>That Henry D. Moore, John C. Scott, Samuel J. Christian, William Underdown, Henry Guiterman and Alfred C. Harmer, and their associates, successors and assigns, be and they hereby are constituted a body politic and corporate, under the name, style and title of the Preston Improvement Company,</p>
Privileges.	<p>by which name the said corporators shall have perpetual succession, and enjoy all the privileges, incidents, and franchises, usually pertaining to a corporation, and not inconsistent with the powers and duties herein set forth, for and during the space</p>
Limitation.	<p>of twenty years, from and after the passage of this act, and</p>
Capital stock.	<p>that the capital stock of said company shall be one million of dollars, with the privilege of increasing the same, from time to time, to any amount not exceeding three millions of dollars, to be divided into shares of fifty dollars each. The above named persons, or such of them as shall, by signature, accept this charter, and such as they shall associate with them, shall</p>
Meeting of corporators.	<p>meet as soon as convenient after the passage of this act, and after giving at least five days' notice of the time and place of a future meeting, for the purpose of considering the provisions of this act, and completing the organization under the same,</p>
Election of directors.	<p>shall proceed to elect, by ballot, five directors for the term of one year thereafter, and until their successors shall be duly elected; and annually thereafter, the stockholders in said company shall meet at such time and place as shall be appointed by the directors, to elect directors for said company, to serve one year, and until their successors shall be duly elected. Each</p>
Votes.	<p>share of stock shall entitle the holder thereof to one vote, and the directors so chosen shall elect one of their number as president of the corporation, and all other officers and agents of the</p>
Officers.	<p>corporation shall be elected, and appointed, as shall be prescribed by the by-laws. Upon notice of the acceptance of the provisions of this act, and the due organization of the board of directors, in the manner aforesaid, to the governor of this commonwealth, there shall be granted, in the usual form, letters patent to the corporators.</p>
Letters patent.	<p><b>SECTION 2.</b> That it shall be lawful for the said corporation to have, and to hold, coal lands, coal, or mineral rights, and estates, in such lands, or mineral rights, in fee simple, or for a term of years, or in fee simple as to a part, and for a term of years as to a part, and, in cases of terms for years, subject to such reasonable rent, per ton, on all coal, or other minerals as may be agreed upon; and it shall and may be lawful for said</p>
Objects and powers.	

corporation, by its board of directors, to place a valuation upon said lands, and estates, for years, as it shall deem prudent and right, and the same to convert into a common stock, which shall be divided into a convenient number of shares, and apportioned among the several corporators, according to such interests as they may have, or acquire therein, respectively. Immediately before the conveyance of such lands, or estates, to said company, and for which certificates of stock shall be issued, from time to time, as said lands, and estates, are acquired, signed by the president, with the corporate seal thereto affixed, and attested by the secretary, such certificates shall be issued, and made transferable, as the directors may prescribe by their by-laws, and the shares of stock so created shall, for all purposes, be deemed, and treated, as personal estate. That, in like manner, certificates of stock may be issued for all moneys subscribed, or paid into said company, for the making of any of the improvements, or openings, upon their lands, or estates, or for any other lawful purpose of the said company.

Certificates of stock.

Transferable.

Subscriptions.

SECTION 3. That the lands, and mineral rights, which said company may purchase and hold, in fee simple, as aforesaid, shall be located in the townships of Butler and Mahanoy, or either, in the county of Schuylkill, and the said company shall have the power and right to develop, improve, use and enjoy said lands, and mineral rights, and their estates, for a term of years, in the same manner, and like extent as companies created under the provisions of the act of assembly of this commonwealth, entitled "An Act to enable joint tenants, tenants in common, and adjoining owners of mineral lands in this commonwealth, to manage and develop the same," approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-four, and the several supplements, may develop, improve, and enjoy their lands and estates, and that the company hereby created shall have and possess all other rights and privileges, except those herein altered or supplied, conferred by the aforesaid act, and its several supplements: *Provided however*, That the quantity of land, and mineral rights, which the company hereby created, may have and hold, in fee simple, as aforesaid, shall not exceed the quantity which companies created under the provisions of the aforesaid act, and its supplements, may have and hold, as aforesaid.

Location and development of lands.

Quantity.

SECTION 4. That this corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized, and hereafter created, in four equal annual instalments; and the stockholders, in the said company, shall be individually liable for all debts due mechanics, workmen, and laborers, employed by the said company, and for all materials and provisions furnished to said company, in the same manner, and to the same extent, that stockholders in companies created under the provisions of the aforesaid act of assembly, relative to joint tenants, tenants in common, and adjoining owners of mineral lands, and the several supplements thereto, are made liable for debts of such companies; and the said company may make semi-annual dividends, or oftener, if the board of directors shall so determine, of the net profits, and receipts of the same, to and among all the

Bonus.

Individual liability.

Dividends.

Taxation.

stockholders in said company. That said company shall be subject to such taxation as is imposed upon other corporations by the general laws of this commonwealth.

May borrow money and issue bonds.

SECTION 5. That it shall and may be lawful for said company to borrow, at a rate of interest not exceeding seven per centum, for any of the lawful purposes of said company, such sum or sums of money as said company may need, or desire, and to issue their coupon bonds therefor in sums not less than one hundred dollars each, and to secure the same by a mortgage or mortgages of all their lands, estates, buildings, improvements and corporate franchises.

Reservation.

SECTION 6. That the legislature reserve the right to amend, or repeal, this act, if the same shall hereafter be considered incompatible with the general good of the commonwealth, but in such wise, nevertheless, as to do no injustice to stockholders, purchasers, and lessees of said lands.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 28.

## A Supplement

To an act to incorporate the Lackawanna and Bloomsburg Railroad Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it may and shall be lawful for the directors of the Lackawanna and Bloomsburg Railroad Company to borrow any sum, or sums of money, not exceeding two hundred thousand dollars, for the purposes specified in the act incorporating said company, and the several supplements thereto, and to issue bonds, and certificates of loan, therefor, with or without coupons attached, and the said directors may provide for the securing of said bonds, and certificates of loan, by a mortgage of that portion of their railroad extending from Rupert, in the county of Columbia, to Northumberland, in the county of Northumberland, or to such other point as is, or shall be, the eventual southern terminus of their said railroad: *Provided, That no bond, or*

certificate, shall be issued for a sum less than one hundred dollars; that the interest payable on said bonds, or certificates, shall not exceed seven per centum per annum; that no plea of usury shall, in any case, be interposed against the payment of any indebtedness authorized by this act, and that nothing in this act contained shall be taken to interfere with, or affect the rights of holders of the bonds of said company issued, or to be issued, under the provisions of the act approved the fifth day of February, Anno Domini one thousand eight hundred and fifty-nine, or to impair the lien created for their benefit.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 29.

An Act

To change the venue from Schuylkill county to Northampton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That two certain actions of ejectment now pending in the common pleas of the county of Schuylkill, the one brought by the president and directors of the Williams Valley Railroad and Mining Company, against John Schale, *et al.*, and now pending against John B. M'Creary, his grantee, and others, to December term, one thousand eight hundred and forty-nine, number one hundred and seventy-two, and the other, by the Schuylkill and Dauphin Improvement and Railroad Company, against John B. M'Creary *et al.*, to September term, one thousand eight hundred and fifty-seven, number one thousand and twelve, both actions for a certain tract of land, surveyed on warrant to John Leshner, dated the third of November, one thousand seven hundred and eighty-four, by Thomas Clark, D. S., containing, by official survey, one hundred and forty-four acres, and allowance, be removed from the said county of Schuylkill, to the county of Northampton, for trial, and that the depositions now taken by either party, be used in the county of Northampton, with like effect, as though taken under the rules of the Northampton county court; and the prothonotary of the said county of Schuylkill shall certify the records, and trans-

Change of venue in certain actions of ejectment authorized.

mit all of the evidence and records, to the prothonotary of the said county of Northampton, and the court of common pleas of the said county of Northampton shall proceed to try the two causes, with like effect, as though brought in said court; but no trial shall take place without at least thirty days' notice to the parties.

All actions brought, or to be brought, touching the title to said land, to be removed.

SECTION 2. That all actions brought, or to be brought, by either of the above named plaintiffs, or those claiming under them, against the said John B. M'Creary, or those claiming under him, touching the title to the said tract of land, or which may be brought by the said John B. M'Creary, or his grantees, against the said plaintiffs, or their grantees, touching the said title, shall also be removed, for trial, to the county of Northampton, upon the said John B. M'Creary, or those claiming under him, making oath, and filing the same of record, that the removal is not intended for delay, but that, in his opinion, a fair and impartial trial cannot be had in the county of Schuylkill.

Costs, how to be paid.

SECTION 3. That in all removals of the said ejectments for trial to the county of Northampton, the whole cost to the county of Northampton shall be paid by the county of Schuylkill, upon a draft of the county commissioners of the said county on the treasurer of the county of Schuylkill, which shall be accompanied by a statement of the actual payments by the county commissioners of Northampton county.

Collection of costs, relative to.

SECTION 4. That after the final termination of any trial in the county of Northampton, writs of *habere facias possessionem*, or other writs for collection of costs, shall issue from the court of Northampton county to the sheriff of that county, who shall have full power to execute the said writs in the county of Schuylkill, with like effect as though the said land was located within the said county of Northampton, and that nothing in this act shall be so construed as to prevent, or interfere with, the right of Schuylkill county to collect all costs that have accrued, or may hereafter accrue, in said suits, after the final termination of them.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 30.

*An Act*

To change the width of York street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of York street as lies between Edgemont street and the Aramingo canal, in the Nineteenth ward, be changed to the width of fifty feet, and to conform to the width of the bridge over said canal; and all acts of assembly contrary to this, be and the same are hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 31.

*A Supplement*

To the act of third of April, one thousand eight hundred and fifty-three, entitled "An Act authorizing the commissioners of Montgomery county to borrow money."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Montgomery be and they are hereby authorized, and empowered, to borrow, for county purposes, on the credit of said county, in addition to the sixty thousand dollars authorized by the act of assembly, approved the third day of February, one thousand eight hundred and fifty-three, entitled "An Act authorizing the commissioners of the county of Montgomery to borrow money," any sum, or sums, of money, not exceeding, in the whole, the further sum of sixty thousand dollars, and to issue bonds, or certificates of indebtedness therefor, under the seal of said county,

## LAWS OF PENNSYLVANIA,

of not less amount than one hundred dollars each, payable at the expiration of twenty years, or any shorter period, at the discretion of said commissioners, from the date of issue, at a rate of interest, with, or without, coupons attached, not exceeding six per centum per annum, which interest shall be payable annually to the holder, or holders, of such bond, or bonds, certificate, or certificates.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 32.

## An Act

For the relief of Daniel Shanor, of Butler county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized, and required, to pay Daniel Shanor, of Butler county, a soldier of the war of one thousand eight hundred and twelve, or his order, a gratuity of forty dollars, and an annuity of forty dollars, during the term of his natural life, commencing on the first day of January, one thousand eight hundred and sixty-four, and half-yearly thereafter, on the first days of January and July.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 33.

**An Act**

To vacate a certain fifty feet wide street, in the late village of Holmesburg, now Twenty-third ward, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That all that certain fifty feet wide street, running from Baker street north-eastward, between land of the estate of Joseph Brown, deceased, and land of George Clark, formerly Paul Crispin's estate, to the Welsh road; thence crossing the said Welsh road, and continuing the same course, through land of John Solly, to Pennypack creek, be and the same is hereby vacated.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 34.

**An Act**

Extending the time for paying the Enrolment Tax on an act incorporating the Masonic Hall Association of East Liberty, Allegheny county, approved the twentieth day of February, Anno Domini one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for paying the enrolment tax on an act incorporating the Masonic Hall Association of East Liberty, Allegheny county, be and the same is hereby extended until the

## LAWS OF PENNSYLVANIA,

first day of June, Anno Domini one thousand eight hundred and sixty-four.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 35.

## An Act

To pay the Clerk of the Committee raised to investigate the authorship of certain newspaper articles.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby required to pay to John Ahern, the clerk of said committee, the usual per diem pay allowed by law to clerks of special committees, and the usual mileage; the number of days service rendered, and the number of miles traveled by said clerk in discharge of his duties, to be certified to by the chairman of said committee; and, also, the usual mileage to and from his home, now allowed by law.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 36.

**An Act**

Authorizing a special tax in the borough of East Birmingham, in the county of Allegheny.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess, and town council, of the borough of East Birmingham, in the county of Allegheny, shall have power to cause to be levied and assessed, on all property, trades, occupations, and professions, in said borough, now by law made taxable for state, county, or borough purposes, a special tax, in addition to the taxes now authorized by law, to be levied and assessed: *Provided,* That the said special tax shall not, in any one year, exceed five mills on the dollar.

**SECTION 2.** That all money raised under, and by virtue of, this act, shall constitute a fund for the payment of the interest of the present indebtedness of said borough of East Birmingham, and after the payment of said interest, for the extinguishment of the principal of said indebtedness, not exceeding six thousand dollars, and shall be exclusively appropriated to said purposes.

**SECTION 3.** That all levies, and assessments, made by virtue of this act, shall be assessed and collected in the same manner as other corporate taxes are now assessed and collected in said borough, and may be included in the same, or other, duplicates of assessment, and when collected shall be paid into the borough treasury, and shall be paid out under and by authority of the resolutions of the burgess and town council of said borough.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED—**The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 37.

*An Act*

To fix the time for holding the Elections for borough officers in the borough of Ligonier, in the county of Westmoreland.

Preamble.

WHEREAS, Under existing laws, part of the officers for the borough of Ligonier, in the county of Westmoreland, are elected on the third Friday of March, and part on the first Monday of May, in each and every year :

*And whereas,* This subjects the citizens of said borough to unnecessary trouble and expense ; therefore,

Time for holding, fixed.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter, the election for all of the borough officers for the borough of Ligonier, in the county of Westmoreland, shall be held on the third Friday of March, in each and every year, at the same place, and by the same officers which may be chosen to conduct the election of constable in and for said borough.

Official term.

*SECTION 2* That hereafter the year, in said borough, for corporate purposes, shall commence on the first Monday of April, at which time, the officers elected at the preceding election shall enter on the discharge of their respective duties : *Provided,* That nothing herein contained shall interfere with the present officers of said borough serving out their term, for which they were respectively elected.

Proviso.

Repeal.

*SECTION 3.* All laws, or parts of laws, inconsistent with this act, are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 38.

*An Act*

To repeal certain portions of the ninth section of an act to provide for the Regulation and Inspection of Buildings in the city of Philadelphia, approved May seventh, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the ninth section of the said act as requires the party, or division, wall to extend above the line of the roof, and the division or separation of wooden cornices, be and the same is hereby repealed, so far as it relates to blocks of not more than two houses, having a side yard to each house: *Provided,* The same be covered with slate, metal, tin or other incombustible material.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 39.

*A Supplement*

To an act to incorporate the Home and Foreign Bible Society of Western Pennsylvania, approved April fourteenth, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Home and Foreign Bible Society of Western Pennsylvania shall have the right to print, publish and circulate serials of the character and form of a newspaper, and by a vote of a majority, in interest, of the stockholders, to diminish the capital

stock of said society to four hundred shares of fifty dollars each.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 40.

## An Act

Authorizing the Burgess and Town Council of the borough of Saint Marys, Elk county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Saint Marys be and they are hereby authorized and empowered to borrow, on the credit of said borough, any sum, not exceeding three thousand dollars, and to issue bonds, or certificates of indebtedness thereof, under the corporate seal of said borough of Saint Marys, attested by the burgess and secretary for the time being, in sums of not less than fifty dollars each, payable at the expiration of five years, or any shorter period, at the discretion of said burgess and town council, from the date of issue, at a rate of interest not exceeding six per centum per annum; which interest shall be payable annually to the holder or holders, of such bond or bonds, certificate or certificates; and the said burgess and town council shall have authority, from time to time, and as often as the same may be necessary, to raise by taxation, in such sum or sums of money as will be necessary to pay off the principal, and interest, of said bond or bonds, certificate or certificates: *Provided*, That such money, when borrowed, shall be applied to the payment of the present indebtedness of the borough, or the indebtedness which the said burgess and town council may incur in the purchase of a lot of ground in said borough, and in the erection of a town hall and lock-up.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No 41.

*An Act*

To change the place of holding the general, special and township elections, in the township of Pike, in the county of Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, all general, special and township elections, in the township of Pike, in the county of Bradford, shall be held at the house now occupied by Traver Basworth, in said township.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 42.

*An Act*

Relating to the Pittsburg Farmers' and Mechanics' Turnpike Road Company, in the county of Allegheny.

WHEREAS, All the rights, property and privileges of the Preamble. Pittsburg Farmers' and Mechanics' Turnpike Road Company, have, for many years, been under sequestration :

*And whereas,* The said company is largely indebted, and the revenue arising from tolls, et cetera, is not sufficient to pay said debts, or to keep said road in good repair, for the accommodation of the traveling public ; now therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the sheriff of Allegheny county, by virtue of any writ of *fieri facias*, which may be issued by any Sheriff authorized to sell.

Notice.	judgment creditor of said turnpike road company, and delivered to him, to levy upon, and, upon giving ten days' notice, by publication in one, or more newspapers, published in the city of Pittsburg, sell, and convey, all the property, real, personal and mixed, corporate franchise, rights and privileges of the said Pittsburg Farmers' and Mechanics' Turnpike Road Company, and make a deed therefor, to the purchasers, and
Distribution of proceeds among creditors.	distribute the money arising from said sale, among the creditors of said company, after deducting the cost and expenses of the same; and the purchasers, their associates, and assigns, shall hold the same, free and clear of all incumbrances; and the said purchasers, and all who may thereafter become associated with them, shall be authorized to take immediate possession of all the property, and conduct the affairs of the said company, and by such officers, or agents, as they may deem necessary, use the corporate name and seal, and shall be vested with all the rights, franchises, powers and privileges, and be subject to all the restrictions, in respect to tolls, or otherwise, which the said corporation, at any time, had enjoyed, and were subject to, under its charter, or any act of assembly relating thereto, not inconsistent with this act.
Rights and privileges of purchasers.	
Subject to.	
Purchasers to file a judgment bond, conditioned for the making of certain repairs.	SECTION 2. That it shall not be lawful for the purchasers, under said sale, to take possession of said turnpike road, until they shall have filed a judgment bond, in the name of Allegheny county, with the prothonotary of the court, out of which the writ of <i>fieri facias</i> shall have issued, with sufficient sureties, to be approved of by said court, in the sum of five thousand dollars, conditioned that the said purchasers shall and will, within twelve months after the date of said sale, <i>bona fide</i> expend, or cause to be expended, at least five thousand dollars, in making improvements and repairs on said turnpike road, from its commencement, at the city of Pittsburg, to where it terminates, at its junction with the Pittsburg and Greensburg turnpike road; and should the said purchasers fail to comply with the terms and conditions of said bond, it shall be lawful for the prothonotary of said court, to enter judgment on said bond, for the use of the auditors of Pitt township, for the whole amount mentioned therein, and at the instance and request of the said auditors, or of any one of them, issue a <i>fi. fa.</i> on said judgment, and when the sheriff of said county shall have collected the money arising therefrom, he shall pay the same over to the said auditors, whose duty it shall be to apply the same to making the necessary repairs and improvements on said turnpike road, as hereinbefore described
Proceedings in case of failure to comply with terms.	
Capital stock.	SECTION 3. That in addition to the rights, privileges, and powers hereinbefore mentioned, the capital stock of the said purchasers shall be fifty thousand dollars, to be divided into shares of fifty dollars each, and it shall be lawful for said purchasers to open books, and receive subscriptions for said stock; and the moneys arising from the sale of the same, shall be expended in making improvements on said turnpike road; and at all elections for managers, or otherwise, the stockholders shall have one vote for each share of stock held, or owned, by him or her; the first election, for managers, shall be held at any time after one-half of the said stock shall have been subscribed for
Subscriptions.	
Votes.	
Election of managers.	



and at least ten dollars per share paid in on the same, and annually thereafter, on the first Monday in January of each year.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 43.

## A Further Supplement

To an act authorizing the Governor to incorporate the West Chester Railroad Company, approved the eighteenth day of February, Anno Domini one thousand eight hundred and thirty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the West Chester Railroad Company be and they are hereby authorized to make and construct a branch railroad, within the limits of the borough of West Chester, to connect their road with the West Chester and Philadelphia railroad; and for that the purpose of locating, constructing, and maintaining the same, said company shall have all the powers, and be subject to all the restrictions and provisos of the tenth, eleventh, twelfth and thirteenth sections of an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the second and third sections of the supplement thereto, approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-six, as if the same were herein specially enacted: *Provided*, That said branch railroad, when constructed, shall be deemed and taken to be part of the said West Chester railroad; and the said company shall have and exercise all the franchises and powers upon, and with respect to the same, granted in their act of incorporation, and its several supplements, and be subject to all the restrictions and provisos therein contained, applicable thereto: *And provided further*, That the said company may vacate and remove the superstructure from such parts of their right of way and railroad, within the limits of the borough of West Chester, aforesaid, as may at any time become useless, or unnecessary, by reason of the construction of the aforesaid branch.

Authorized to construct a branch road.

Subject to.

Proviso.

Proviso.

May sell part of  
real estate.

SECTION 2. That the president, and board of directors of said company, may from time to time, sell and convey such parts of the real estate, belonging to said company, as shall be no longer useful, or necessary, for the purposes of their road.

Bonds may be  
issued.

SECTION 3. That said company be and they are hereby authorized to issue their bonds, to an amount not exceeding seventy-five thousand dollars, none being under the denomination of one hundred dollars, in such form, payable at such time, or times, and bearing such rate of interest, not exceeding six per cent. per annum, payable semi-annually, as the president and directors of said company may determine, and for the securing the payment of the said bonds, with the interest thereon, as the same respectively fall due, may execute one or more mortgages of all their property and estate, real, personal and mixed, wherever situate, and being, and whether then held, or thereafter to be acquired, and all their rights, privileges, income, tolls, receipts, and corporate franchises whatever, and whether then held, or thereafter to be acquired, in such parts, to such trustees respectively, and in such form, as the said president and directors may determine.

Mortgages.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 44.

## An Act

To incorporate the Allentown Collegiate Institute and Military Academy,  
at Allentown, Pennsylvania.

Incorporation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there be and hereby is erected and established, in the borough of Allentown, in the county of Lehigh, an academy, to consist of a primary school, a college, and such other appropriate departments, as the patrons and managers of said academy shall find themselves able to maintain, by the name, style and title of the Allentown Collegiate Institute and Military Academy, under the care and direction of a number of trus-

Name.

tees, not exceeding twenty, five, or more, of whom shall constitute a quorum, who, and their successors in office, shall be, and are hereby declared to be, one body politic and corporate, in deed and in law, by the name, style and title of the Allentown Collegiate Institute and Military Academy, and by the same name, shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, in all courts of law and equity, and shall be capable, in law and equity, to take, hold, and purchase, for the use of said academy, lands, goods, chattels, moneys, of any kind whatsoever, by gift, grant, conveyance, devise, or bequest, from any person, or persons, whomsoever, capable of making the same, and the same, from time to time, to sell, convey, mortgage, or dispose of, for the use of said academy, and to erect such buildings as may be necessary, providing the amount does not exceed one hundred thousand dollars, and generally to do all and singular the matters and things which may be lawful for them to do, for the well being of the academy, and the due management, and ordering, of the affairs thereof. Privileges.

SECTION 2. That the trustees of said academy shall consist of the following persons, to wit: Christian Pretz, Thomas Jacoby, William S. Young, John D. Stiles, William S. Marx, Henry C. Longnecker, John H. Oliver, Charles W. Cooper, Jacob S. Dillinger, John D. Lawall, George P. Weil, Henry Weinsheimer, Robert E. Wright, J. G. Anglade, William H. Blumer, Samuel A. Bridges, Boas Hausman, Thomas B. Wilson, and Charles Kramer, who shall elect a president, vice president, secretary and treasurer, of their own body, and may, from time to time, fill vacancies, caused by death, resignation, removal, or otherwise. Trustees.

SECTION 3. That the said trustees, and their successors, shall and may have a common seal, to serve and use, for all causes, matters, and affairs of theirs, and their successors, and the same may alter, or make anew, as they may think fit. Seal.

SECTION 4. That there shall be a meeting of said trustees held at the said academy, annually, and at such other time and place as they shall appoint, to consult, advise and act on, and about the affairs and business of said academy; the officers of said board may call special meetings thereof, by giving written notice, at least seven days' previous to the time of said meeting; and at every meeting of said board, they may legally transact any business proper for said board; and if the president shall not attend such meeting, the vice president shall preside; and in the absence of both, the board may appoint a president *pro tempore*; and the said trustees shall have power to appoint a president and vice president, and other professors and instructors of said academy, and all such other officers and assistants, as they shall find necessary for the good management of said academy, and have power to remove them at discretion. Meeting of trustees. Officers, professors, &c.

SECTION 5. That the trustees aforesaid shall have and exercise the government of said academy, together with the care and management of all matters and affairs belonging thereto; and shall have power to make and establish all such reasonable and proper laws, rules and regulations, as may be neces- Powers of trustees.

sary for the government, instruction and education of the cadets, and the management of the said academy; and the same may repeal and alter, from time to time, as they may see fit: *Provided*, The same be not contrary to the constitution and laws of this State, or of the United States.

Proviso.

Course of instruction.

SECTION 6. That the said board of trustees shall be required to furnish, at said academy, constantly, a course of military instruction, both theoretical and practical; also, civil and military engineering, and the practical sciences generally, together with instruction in the Latin, Greek, French and German languages; and the president of said board, with the consent of the trustees, shall have power to give and confer all such diplomas, degrees, honors, or licenses, as are usually given, or conferred, in colleges, or universities, at their discretion; that the said institute shall have the privilege of a professorship of agriculture, chemistry, mining, mechanical and civil engineering: *Provided*, That in so doing they shall have respect to the morals and merits of the candidates alone.

Diplomas, &c.

Proviso.

Governor to furnish arms, &c.

SECTION 7. That the governor shall have power to furnish to said academy, arms for infantry, artillery and cavalry drill, together with tents, and other camp equipage, upon sufficient security being given for their safe keeping and return to the commonwealth, when demanded.

First meeting of trustees.

SECTION 8. That the first meeting of the said trustees shall be within three months after the passage of this act, at such time and place, in the borough of Allentown, as shall be fixed by at least five thereof, of which meeting, at least two weeks' notice shall be given by public advertisement, in two of the newspapers printed in Allentown; if at such, or any subsequent meeting, five of the said trustees shall not be present, then those who are present shall have power to adjourn to any other day, of which they shall give like notice, as hereinbefore specified; but when five, or more, of said trustees shall meet at any time and place so appointed and fixed, they shall be capable of organizing and electing officers to serve until the next annual meeting, or until others shall be duly elected or appointed, and generally of doing and transacting all other business matters and things appertaining to said academy.

Notice.

Organization.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 45.

**An Act**

For the Election of Auditors for the borough of Titusville, in the county of Crawford, and for other purposes.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be lawful Election of au-  
for the qualified electors of the borough of Titusville to elect ditors.  
three persons to serve as auditors; one to serve one year, one to serve two years, and one to serve three years. The borough  
constable shall give due notice of the time and place for hold- Constable to  
ing such election, and annually thereafter, at the annual borough give notice.  
elections, one auditor shall be elected to serve three years.

**SECTION 2.** That the auditors of said borough shall have May open and  
authority to open, and re-audit, the accounts of said borough, re-audit ac-  
from the time of its organization, or the accounts of any one counts.  
year of the said period.

**SECTION 3.** That it shall be the duty of the said borough Duties and  
auditors, annually, within ten days after the close of the borough powers of.  
and school year, to audit the accounts of the borough, the bor-  
ough treasurer, the treasurer of the borough school district, and  
the accounts of the street commissioner, and a separate state-  
ment of the settlement, with each officer, shall be made, in a  
book to be provided by them for the purpose, showing the gross  
amount received, and disbursed, by each officer during the year,  
and the said book shall, at all reasonable hours, be subject to  
the inspection of said borough.

**SECTION 4.** That it shall be lawful for the qualified electors Election of  
of the said borough, at the next annual election, to elect six councilmen.  
councilmen, two to serve one year, two to serve two years,  
and two to serve three years, and annually thereafter to elect  
two councilmen to serve three years.

**SECTION 5.** That the borough council shall appoint, annually, Street commis-  
a person for street commissioner for said borough, whose duty sioner, duties  
it shall be to supervise, repair, and keep in order the public of, &c.  
streets, lanes, alleys, and walks of the said borough, and to  
keep an account of the work, and all other expenditures upon  
the said streets, lanes, alleys, and walks; which said accounts  
shall be rendered semi-monthly, or oftener, if required by the How accounts  
council or burgess, to the burgess and council, in writing, to be kept.  
stating the name of each person performing labor upon, or  
furnishing material for the use and repairs of the said streets,  
lanes, alleys, and walks, the kind of labor performed, and ma-  
terials furnished, and the value thereof, the place where, and  
the time when said work, and labor, was done, and materials  
furnished, which said account shall be entered, by the clerk of  
the council, in a book to be provided for that purpose, which

May act as assistant burgess. said book shall, also, at all reasonable hours, be open for the inspection of any citizen of said borough; and in the absence, sickness, or disability of the burgess, the said street commissioner may act as assistant burgess, and preside over the deliberations of the council, but before entering upon the discharge of the duties of assistant burgess, he shall be duly qualified in the manner prescribed for the qualification of the burgess.

Authorized to collect borough tax. SECTION 6. The said street commissioner shall collect the borough tax duplicate annually, and as such collector, shall have all the powers given, by law, to the township collectors of county rates and levies, and subject to all the pains and penalties of such collectors; but before the burgess shall deliver the duplicate and warrant to said street commissioner for the collection of any borough tax, the said street commissioner shall execute a bond, in double the amount of the tax in said duplicate, with two sufficient sureties, to be approved by the town council, conditioned for the collection of the said duplicate, and the payment of the whole amount therein charged, to the borough treasurer, within ninety days from the date thereof, unless he shall have been legally exonerated therefrom.

Bond to be given. Taxation. SECTION 7. It shall be lawful for the said burgess and town council to assess, levy, and collect, annually, a tax, not exceeding twenty mills on the dollar, on the last adjusted valuation for county rates and levies, one-half of which sum shall be expended, annually, under the supervision of the street commissioner, in repairing, and improving, the public streets of said borough; one-fourth of the said amount shall be exclusively appropriated to the payment of debts now due against the said borough, and the remainder may be used for general borough purposes.

Commencement of borough year. SECTION 8. The borough year shall commence on the third Monday of March, annually, at which time, the officers elected at the annual election shall enter upon the discharge of the duties of the offices for which they were elected.

Policemen, duties of, &c. SECTION 9. That the burgess, and town council, shall have power to appoint twelve policemen, and, from time to time, appoint additional numbers, as contingencies may require, who shall be commissioned as such, and by virtue of said appointment, shall have power to preserve order in the streets, and to arrest, upon view, any person for a breach of the peace, or borough ordinance, and bring him, her, or them, before the burgess, or a justice of the peace, to be dealt with according to law; and the said burgess, and town council, themselves, or by a committee of their number, shall have the right to enter, in the day time, upon the premises of any citizen where they suspect that the arrangements for the use of fires are not safe, and, upon examination, to require such alterations as shall conform to the ordinance in relation to exposures from that element, and if the alterations are not made to conform to the ordinance, within a reasonable time after such notice of danger is given, the burgess shall order the improvement to be made, and the expenses thereof shall be paid by the occupant, or if a tenant, by the landlord owning the building, with twenty-five

Council may require alterations of houses, in certain cases.

per centum of the actual cost added to the bill, to be collected as debts of like amount are by law collectable, and without the right of exemption of property from levy and sale on execution.

SECTION 10. That the burgess and town council shall, by ordinance, fix the compensation for the services of street commissioner, auditors, and police, and if the compensation of the police is by fees, the fees shall not exceed those allowed by law to constables for like services. Compensation of street commissioner, auditors, and police.

SECTION 11. That the constables of the said borough shall be entitled to a fee of seventy-five cents, in addition to the fees now allowed by law for the arrest, and detention, of any person charged with the commission of a crime, and it shall be the duty of the constable, in charge of a prisoner, to remain in the office of the justice during the examination of the prisoner, to assist in preserving order, and to execute the orders of the justice. Fees of constables.

SECTION 12. That all male taxables, in said borough, whose tax does not amount to one dollar, shall pay one dollar, or in lieu of said tax work one day, or cause one day's work to be done on the public streets, under the supervision and direction of the street commissioner; and it shall not be lawful for the burgess of said borough to issue more than one duplicate for the collection of any tax in said borough in one year. Tax of one dollar to be paid, or work done on streets.

SECTION 13. That all acts, or parts of acts, inconsistent herewith, are hereby repealed. Repeal.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 46.

## An Act

To establish a Ferry over the Allegheny river, at Franklin, in the county of Venango.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That William Campbell and James Hughes, their heirs and assigns, shall have the right, and privilege, at their own ex- Ferry authorized.

Location.	pense, to make good, sufficient, and convenient landings, and roads, to the nearest street, or public highway, to said landings, on the east and west side of the Allegheny river, from the borough of Franklin, in Venango county, and below and south of where the bridge over said river was located; thence to the township of Cranberry, in said county, and to use said river for a public ferry: <i>Provided</i> , That should any private property be injured by making said landings, or roads, the said Campbell and Hughes shall pay all such damages, to be assessed in the same manner as damages for the opening of private roads are assessed, but the said Campbell and Hughes are to have the right to make said landings, and roads, immediately.
Damages.	
To be kept in good order, &c.	SECTION 2. That the said William Campbell and James Hughes, their heirs and assigns, shall keep the said landings, ferry, and roads, in good order, and repair, fit for the transportation, and passage, of travelers, teams, and carriages of all descriptions, and keep good, and sufficient, boats, and other crafts, and competent, careful, sober ferrymen, who shall constantly, as occasion may require, attend for the purpose of carrying passengers, teams, carriages, and so-forth, across said river, with reasonable diligence and care.
Rates of ferriage fixed.	SECTION 3. That the said William Campbell and James Hughes, their heirs and assigns, as a remuneration for keeping up, and in good repair, the said landings, ferry, and roads, shall receive for carrying persons, teams, carriages, and so-forth, across said river, tolls, not exceeding the following rates: For each foot person, five cents; each person, and horse, fifteen cents; for each one-horse carriage, or wagon, twenty cents; for each two horses, and wagon, twenty-five cents; for each two horses, and carriage, thirty cents; for each four horses, and wagon, forty cents, and for each additional horse, five cents; for each horse, without rider, five cents; for each yoke of oxen, fifteen cents; for each head of horned, or neat, cattle, lead or driven, three cents; for each head of sheep, or swine, two cents, and for all things not enumerated in this list, the amount received by other ferries, of like character, crossing said river; and to have the right to extend a rope, or wire, across the river, if they shall deem it necessary, or advisable, to facilitate crossing: <i>Provided</i> , That said rope, or wire, shall be elevated, or arranged, so as not to obstruct, or retard, the navigation of said river.
Proviso.	
Penalty for injuries to boats, &c.	SECTION 4. That if any person, or persons, shall wilfully pull down, cut, or break, or in any way injure, or destroy, any rope, wire, boat, or other property, or shall take from its mooring, any craft, or boat, belonging to said ferry, he, she, or they, so offending, shall each of them forfeit, and pay to the said Campbell and Hughes, their heirs and assigns, the sum of thirty dollars, in addition to all damages sustained by the owner, or owners, of said ferry, to be recovered as debts of like amount are by law recoverable, but without stay of execution, or relief from any law of this commonwealth, exempting property from levy, and sale, for debts.
Prohibition.	SECTION 5. That all persons, except the said William Campbell and James Hughes, their agents and assigns, are hereby



prohibited from using said Allegheny river for the purpose of a ferry, within the distance of one mile of said established ferry; and any person, or persons, violating the provisions of this section of this act, shall forfeit, and pay, to the said Campbell and Hughes, their heirs and assigns, the sum of fifty cents for every traveler, team, head of cattle, horse, or carriage, ferried over the said river, within the above mentioned bounds, to be recovered as the penalties in the fourth section of this act are recovered.

SECTION 6. That the said Campbell and Hughes, their heirs and assigns, at any time after a passenger bridge is completed across said river, within the bounds of one mile above, and below, said ferry, shall have power to abandon, or vacate, said ferry, and on so doing, shall relinquish, and lose, all the rights secured, and acquired, by this act, otherwise this act shall be, and remain, in full force for the period of twenty years. When the ferry may be vacated.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 47.

## A Supplement

To an act authorizing the Treasurer of Washington county to pay Thomas S. Irwin, Brigade Inspector of the Third brigade, Seventeenth division, Pennsylvania militia, his salaries, approved the twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the treasurer of Washington county be and is hereby directed to pay to Thomas S. Irwin, brigade inspector of said county, the sum of three hundred dollars, out of the militia fund for the year one thousand eight hundred and sixty-four, of the third brigade, seventeenth division, Pennsylvania militia, being his salary for the years Anno Domini one thousand eight hundred and sixty-two, and one thousand eight hundred and sixty-three; and any thing in the act, approved the twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three, limiting the payment of said

sum, and salary, "out of any money not otherwise appropriated," be and the same is hereby repealed.

HENRY C JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 48.

## An Act

To lay out a State Road in Fayette and Westmoreland counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners. That Ayres Nixon and Samuel C. Griffith, of Fayette county, and Randall Johnson, of Westmoreland county, be and are hereby appointed commissioners to view, lay out, and mark, a

Route. state road, beginning at a public road near the house of David Snyder, in Rostraver township, Westmoreland county; thence by the nearest and most practicable route to a point on a public road at or near the barn of Stephen Patten, in Fayette county.

Duty of commissioners. SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taking and subscribing an oath, or affirmation, before a justice of the peace, to perform the duties enjoined upon them by this act with fidelity, and impartiality, to carefully view the ground on which the said road may pass, and lay out, and mark, the same, on the route agreed upon by them, for the road aforesaid, in such manner as to enable the supervisors readily to find the same; and the said commissioners are authorized to employ two chain carriers, at a per diem allowance of one dollar; and the said commissioners, respectively, shall receive a per diem allowance of two dollars for each day necessarily employed in the discharge of their duties, enjoined by this act, which expenses shall be paid by the treasurers of the counties through which the road may be laid out, upon the rendition of the accounts of said commissioners, in proportion to the time employed in each county: *Provided*, That if Samuel C. Griffith perform the duties of

Surveyor. surveyor, he shall receive an additional compensation of one dollar per diem.

SECTION 3. It shall be the duty of the commissioners to make Drafts. out two fair, and accurate, drafts of the location of said road, noting the courses, and distances, as they occur, with such other matters as may serve for explanation, one copy whereof to be deposited in the office of the clerk of the court of quarter sessions, in the respective counties through which the road may pass, on, or before, the first Monday of June next, and thenceforth said road shall be a public highway, and shall be opened to the width of thirty-three feet, and at a grade of five degrees Width and from a horizontal plane, and repaired as all roads laid out by grade of road. the courts are repaired.

SECTION 4. The commissioners shall proceed, as soon as practicable, to complete the location of said road, and if any vacancy occur in their number, the same shall be supplied by the remaining commissioners, or commissioner, so as to constitute a board of at least three members. Vacancies.

SECTION 5. It shall be the duty of the supervisors of the several townships through which the said road shall pass, upon notice given, to proceed to open, and make, said road, under the same provisions as if said road had been laid out by the respective courts of quarter sessions. Duties of supervisors.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 49.

## A Supplement

To the act to create the Cochranville School District out of parts of West Fallowfield and Highland townships, in the county of Chester, approved April fourteenth, one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the Cochranville school district, in the county of Chester, be and the same are hereby authorized, and throrized to borrow money, not exceeding one thousand dollars, at a rate of interest, not exceeding six per centum per annum, and issue bonds therefor in sums not less than one hundred dollars each, to be applied to the payment of a debt issued. Directors authorized to borrow money. Bonds to be issued.

## LAWS OF PENNSYLVANIA,

incurred in the erection of a school house, and purchase of a lot of ground; said bonds to be executed by the president and secretary of the board.

Payment of  
debt, relative  
to.

SECTION 2. That the directors of said district shall pay, or cause to be paid, annually, at least one hundred dollars of the principal debt, authorized by this act, and until said debt is paid, or satisfied, the territory of said district shall not be curtailed, or diminished.

Mode of elect-  
ing directors.

SECTION 3. That the qualified electors, of said district, shall, at the election for electing directors thereof, vote for but one citizen thereof for director, and the person having the highest number of votes shall be the director, for three years, subject to the common school laws, so that after the respective terms of office of the present directors shall expire, the board shall consist of but three members.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN

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No. 50.

## An Act

Relating to Juries in the county of Wayne.

WHEREAS, The sheriff, and commissioners, of the county of Wayne, have omitted to comply with the laws of this commonwealth, for the selection of jurors: therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the selection of jurors, to serve in and for said county of Wayne, for the year one thousand eight hundred and sixty-four, be and the same is hereby extended to the first day of April, Anno Domini one thousand eight hundred and sixty-four, on, or before, which time it shall be lawful for the sheriff, and commissioners, thereof, in manner as now provided by law, to select a suitable number of qualified persons to serve as jurors, in the several courts to be holden therein during the year one thousand eight hundred and sixty-four, and with the

like effect as if said jurors had been selected, agreeably to the laws in force before the passage of this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 51.

## An Act

To authorize the appointment of four additional Notaries Public in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That, in addition to those now provided for by law, the governor is hereby authorized to appoint four notaries public for the city of Philadelphia, one of whom shall reside in Frankford, in the Twenty-third ward, of the said city of Philadelphia.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 52.

## An Act

Regulating certain charges of Executors and Trustees.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

## LAWS OF PENNSYLVANIA,

That in all cases, where the same person shall, under a will, fulfill the duties of executor, and trustee, it shall not be lawful for such person to receive, or charge, more than one commission upon any sum of money coming into, or passing through, his hands, or held by him for the benefit of other parties; and such single commission shall be deemed a full compensation for his services in the double capacity of executor, and trustee: *Provided*, That any such trustee shall be allowed to retain a reasonable commission on the interest he may receive from any sum held by him, in trust as aforesaid.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 53.

## An Act

To declare Beaver Dam run, in Clearfield county, a navigable highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Beaver Dam run, one of the upper tributaries of Moshannon creek, in the county of Clearfield, be and the same is hereby declared a navigable highway for the passage of lumber, logs, boats, and vessels, from its mouth to the sources thereof.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 54.

## An Act

To incorporate the Mansfield and Wellsboro' Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Stephen Pierce, William Bache, Robert C. Simpson, John R. Owen, John W. Bailey, Andrew J. Ross, Philip Williams, Henry Allen, William Adams, S. B. Elliott, Martin King, Lawton Cummings, and Joseph P. Morris, be and the same are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Mansfield and Wellsboro' Turnpike Road Company, with power to construct a turnpike road from some point in the borough of Mansfield, at, or near, the intersection of Wellsboro' street with the Williamson road, to a point in the borough of Wellsboro', at, or near, the intersection of the Covington road with Pearl street, in Wellsboro', in the county of Tioga, subject to all the provisions, and the restrictions, of an act regulating turnpike and plank road companies, approved the twenty-eighth day of January, one thousand eight hundred and forty-nine, and the supplements thereto, except so far as they are hereby altered, or supplied.

SECTION 2. That the capital stock of said company shall consist of two hundred and forty shares, of fifty dollars each : *Provided,* That said company, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete said turnpike road, and carry out the true intent and meaning of this act.

SECTION 3. That it shall be lawful for said company to make use of any county bridge, on the line of the route of said road, or any part of any public road, and the court of quarter sessions of said county shall appoint a view, on application of said company, or any stockholder, to examine, and vacate, any public road or roads, or parts of a road or roads, as shall be used, or rendered unnecessary by the construction of said turnpike road, as is provided by the general road laws of this commonwealth in the case of roads which have become useless.

SECTION 4. That the president and managers of said road shall have power to regulate rates of toll, not exceeding the rates established by the act heretofore mentioned, and the several supplements thereto, and to erect toll gates, and collect tolls, whenever two miles of road shall have been completed.

SECTION 5. That said company shall have power to borrow money, at any rate of interest, not exceeding six per centum per annum, for the purpose of completing said road, and issue

## LAWS OF PENNSYLVANIA,

bonds therefor, and secure the same by mortgage of their road, and franchises.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 55.

## A Supplement

To the act to incorporate the Mount Alto Iron Company, passed the ninth day of April, eighteen hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the time allowed by the act to which this is a supplement, in which to comply with the several provisions thereof, be and the same is hereby extended for the term of one year from the date hereof, and any failure, on the part of said company, heretofore, to elect officers, shall not affect the charter thereof. That Thomas Beaver, Isaac S. Waterman, and George B. Weistling be added to the corporators named in the act to which this is a supplement; and the provisions of the act, approved the eighth day of March, eighteen hundred and sixty-two, entitled "An Act to incorporate the Dickson Manufacturing Company," are hereby extended to, and may be enjoyed by, said company, so far as the same do not conflict with the provisions of the act to which this is a supplement.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 56.

*An Act*

To extend the provisions of an act relative to the Sheriff of Washington county, to Erie county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act authorizing the deputy of the sheriff of Washington county to perform the duties of sheriff, approved May tenth, Anno Domini one thousand eight hundred and sixty-one, are hereby extended to Erie county; and the principal deputy of the sheriff of Erie county, now, or hereafter, appointed, shall have, possess, and exercise, all the authority, and powers, pertaining to the office of sheriff of said county, as fully, and effectually, as the sheriff of said county himself might, or could have, possess, and exercise, the same, until the period of three years have elapsed from the date of the commission of the present sheriff of Erie county, to wit: the sixteenth day of November, Anno Domini one thousand eight hundred and sixty-four.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 57.

*An Act*

To authorize the borough of Manchester, in the county of Allegheny, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the borough of Manchester, in the county of Allegheny, be and it is hereby authorized, and empowered, to borrow the

sum of ten thousand dollars, the same to be paid in ten years from the date of said loan, said money to be appropriated to pay the present indebtedness of said borough; and for the security, and re-payment, of the same, to pledge the faith, credit, and property, of said borough; and as the evidence of said indebtedness, incurred by said loan, the said borough shall have power, and authority, to execute, and deliver, their bonds under the seal of the corporation, and signature of the burgess, countersigned by the treasurer of said borough, in sums of not less than five hundred dollars, the interest thereof shall be six per centum, payable annually, or semi-annually, as the council of said borough shall determine; and said bonds shall be transferable only at the office of the treasurer of said borough, by the holder thereof, or his attorney in fact.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 58.

## An Act

To regulate the Paving, or Macadamizing, of Streets, in the borough of Allentown.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Council may direct streets to be paved, or macadamized, upon petition of one-half of lot owners.

That whenever the persons owning upwards of one-half of the lots, improved, or otherwise, fronting on any street, for the whole length thereof, in the borough of Allentown, shall determine that such street be paved, or macadamized, and shall present their petition to the council of said borough, for that purpose, it shall be the duty of the said council to direct, and cause, it to be paved, or macadamized, as the petitioners may prefer, under the supervision of the engineer of the said borough, or of such other person, or persons, as the said council may for that purpose appoint.

Engineer to make statement of cost.

*SECTION 2.* That when such improvement shall have been completed, it shall be the duty of the said engineer to lay before the burgess, of said borough, a statement of the entire cost thereof, showing the proportion of such cost incurred on each

particular block, or square, and containing a list of the owners of lots fronting on such improved street, together with the number of feet front contained in each of the said lots, whereupon, the said burgess, with the assistance of the secretary of the said council, shall proceed to assess the expense aforesaid on the said several lot-holders, in the exact ratio of the fronts of such lots, in such manner, however, that each block, or square, shall be charged only with the expense actually incurred in paving, or macadamizing, such block, or square: *Provided*, That the expense incurred in paving, or macadamizing the public squares, cross streets, and alleys of such street, shall be defrayed by the said borough. How to be assessed.  
Proviso.

SECTION 3. That the said burgess shall cause to be delivered to each of said lot holders, or their representatives, a written notice, stating the amount so assessed on his, or her, lot, and appointing a day of appeal to be held not less than ten days after the service of said notice, on which day he shall convene the said council, at their usual place of meeting, for the purpose of hearing appeals, and correcting such errors as may be ascertained to exist in said assessment. Notices of amount assessed to be served.  
Appeals.

SECTION 4. That the said council having heard, and decided, all cases that may thus have come before them, shall cause to be delivered to the high constable of the said borough, a certified duplicate of the amounts so charged, whose duty it shall be to collect, and pay over to the borough treasurer, the amounts so assessed, within ninety days from the date of said duplicate, or precept; and in case any of said sums, or any part thereof, shall remain unpaid at the expiration of said time, the same proceedings, and like remedy, shall be had, as is provided in the sixth division of section second of the act of assembly of April three, one thousand eight hundred and fifty-one, for the recovery of expenses for the paving, and curbing, of sidewalks. Collection.

SECTION 5. That such portions of sections four and five of the act of assembly, entitled "A further supplement to the act of assembly incorporating the borough of Allentown," approved the twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-three, as conflicts with the provisions of this act, be and the same are hereby repealed. Repeal.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 59.

*An Act*

Relative to, Post Mortem Examinations in the county of Butler.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter, in all cases of violent deaths, in the county of Butler, when an inquest shall be held on the body of the deceased, and it shall be deemed necessary, by the coroner, or justice of the peace holding the inquest, to call upon a surgeon, or physician, to make a *post mortem* examination, the fee to be received of the county by such surgeon, or physician, shall not exceed the sum of ten dollars; and no more than two surgeons, or physicians, shall be so called upon, in any one death, or case: *Provided*, The commissioners of said county may increase said fees in any case that they may deem proper, or necessary.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 60.

*A Supplement*

To an act incorporating the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act of consolidation, and the supplements thereto, relative to the term of time for which constables are elected in the city of Philadelphia, be and the same is hereby repealed.

SECTION 2. And that in lieu of the term of years for which constables of the various wards, boroughs and townships of

Repeal of provision relative to constables.

Official term of, changed.

the said city are now elected, they shall hereafter be elected for the term of five years, from and after the expiration of the various terms, to which they have been elected.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 61.

*An Act*

To authorize the Commissioners of Centre county to levy a special tax for relief purposes.

WHEREAS, The board of relief, of Centre county, have already issued relief orders to the families of soldiers, to a far greater sum than the taxes heretofore authorized, for relief purposes, amounted to, whereby the relief fund has become involved in debt, and the relief orders are depreciating; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Centre county are hereby authorized, and empowered, to levy and collect a special tax, for the purpose of paying off the indebtedness of the relief fund of said county: *Provided*, That the tax so levied, and collected, shall not exceed, for any one year, five mills on the dollar of the assessed value of the property of said county: *And provided further*, That said commissioners shall assess such tax no longer than may be necessary to pay off the relief debt.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 62.

*An Act*

Relative to the Prothonotary of Lehigh county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act supplementary to an act regulating the fees for prothonotary, in certain cases, in the city and county of Philadelphia," passed April first, Anno Domini one thousand eight hundred and thirty-seven, be and the same are hereby extended to the county of Lehigh.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 63.

*An Act*

To authorize the Commissioners of Centre county to borrow fifty thousand dollars, for the erection of a new jail.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the commissioners of Centre county are hereby authorized, and empowered, to borrow any sum, or sums, of money, not exceeding fifty thousand dollars, upon the credit of said county, for the purpose of erecting a new county jail; and the said commissioners are hereby authorized, and empowered, to issue county bonds, bearing interest, not exceeding six per centum, per annum, for the amount of money so borrowed by

them for the purpose aforesaid : *Provided*, That no bond shall be of a less amount than the sum of one hundred dollars.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 64.

## An Act

Declaring Oyster run, in Elk county, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, Oyster run, in Fox township, Elk county, from its mouth, where it empties into Little Toby creek, to its forks, a distance of one and one-fourth miles, be and the same is hereby declared to be a public highway, for the passage of lumber, logs, rafts, and other vessels; and it shall be lawful for the inhabitants, desirous of using said creek, to remove all natural obstructions to said creek, or the bed, or channel thereof.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 65.

*An Act*

To authorize the School Directors of Sylvania borough, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Authorized to  
borrow money.

That the school directors of Sylvania borough, in the county of Bradford, are hereby authorized to borrow a sum of money, not exceeding two thousand dollars, for the purpose of purchasing a lot of ground, and erecting thereon a school house, in said borough; and for that purpose, they may issue bonds, scrip, or other evidences of indebtedness, payable in such sums, and at such times, and in such manner, and with such interest, as may be agreed upon: *Provided*, That no bond, scrip, or other evidence of indebtedness, issued under the provisions of this act, shall be for a longer period than five years.

Bonds.

Proviso.

May levy a tax.

SECTION 2. That for the purpose of refunding the money, authorized to be borrowed, by the provisions of the first section of this act, the said school directors are hereby authorized to assess, and levy, an annual tax upon all persons, property, trades, occupations and professions, liable to taxation, for school purposes, in said borough, sufficient in amount to pay any sum, or sums, of money borrowed under this act, and the interest thereon, at the time, and in the manner, agreed upon in such contract, or contracts; the said tax to be levied, and collected, as taxes for school purposes are levied, and collected: *Provided*, That any lot purchased, or school house erected, under this act, shall be subject to all the provisions of the common school laws of this commonwealth.

Collection.

Proviso.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 66.

*An Act*

Relating to the House of Employment, and support of the Poor, in the county of Greene.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fourteenth section of the act, entitled "An Act to provide for the erection of a house of employment, and support of the poor, in the county of Greene," approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine, be so altered, and amended, that the office of overseer of the poor, in the several townships, of said county, shall not be considered abolished, until all claims against the respective townships for the support, and maintenance, of the poor, and insane paupers, have been fully adjusted, and satisfied; and in all such townships, against which unsettled claims exist, it shall be lawful for the people to elect overseers of the poor, as heretofore, and in case of a failure to elect, the court of quarter sessions, upon application, shall appoint suitable persons to the office of overseer of the poor, in the proper township, as provided for by existing laws; and whether elected by the people, or appointed by the court, such overseers shall have the same power to levy, and collect, taxes, settle, and adjust, claims against their respective township, as they would have had, prior to the passage of the act providing for the erection of a house of employment, and support of the poor, in the county of Greene.

Office of overseer not to cease, until all claims for support of poor are settled.

In case of failure to elect, the court may appoint.

Powers of.

SECTION 2. That, hereafter, it shall be the duty of the commissioners of said county, under the provisions of the fifth section of the act aforesaid, to furnish the treasurer of the county with the estimate of the probable expense of the poor, and poor house, for one year, as furnished by the poor house directors; and it shall be the duty of the treasurer of the county to collect, or cause to be collected, such estimate, or so much thereof as shall be deemed necessary, by the directors, in cash, without unnecessary delay, and paid over, by him, to said directors, upon the warrants, or orders, of the commissioners, as provided for by said section.

Commissioners to furnish treasurer with certain estimates.

SECTION 3. That so much of the act of the twenty-fourth of February, one thousand eight hundred and sixty, entitled "A supplement to an act to provide for the erection of a house for the employment, and support, of the poor, in the county of Greene, approved the thirteenth day of April, one thousand eight hundred and fifty-eight," as authorizes the commissioners, named in the original act, to contract for the erection of the necessary buildings, and to proceed to the erection thereof, and to draw their orders on the treasurer of the county, be

Repeal of provision authorizing commissioners to provide for erection of buildings, &c.

Directors to  
perform duties  
of commission-  
ers.

Collection and  
appropriation of  
fines, penalties,  
&c.

the same is hereby repealed ; and, hereafter, it shall be the duty of the poor house directors, of said county, to perform all the services, and discharge all the duties, that are imposed upon the commissioners, by said act, or any of the acts, relating to said house of employment.

SECTION 4. That all fines, penalties, or forfeitures, imposed, or received, by any justice of the peace, in the county of Greene, and which have heretofore been appropriated, by law, for the use of the poor of said county ; and all fines, penalties, and forfeited recognizances, in the several courts of said county, which have heretofore been appropriated to the use of the county, shall hereafter be for the use of the house of employment, and support of the poor, of said county ; and it shall be the duty of the directors of the house of employment, to superintend the collection of all such fines, penalties, forfeitures, and forfeited recognizances, and to account for the same in their annual statements with the county auditors.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No 67.

## An Act

Supplementary to an act incorporating the borough of South Pittsburg, in Allegheny county.

Mode of filling  
vacancies in  
council.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the burgess, and town council, of the borough of South Pittsburg, in the county of Allegheny, shall have power to fill any vacancy which may occur in said council, by death, resignation, removal from the borough, or otherwise, until the next annual election, when such vacancy shall be filled by electing a person to supply the same.

Council may  
declare vacant,  
seats of mem-  
bers refusing to  
attend meetings

SECTION 2. If any person, duly elected a councilman, shall refuse to attend a regular meeting of the council, after having received written notice from the clerk to appear, and enter upon the duties of his office, or if any person having taken on him the duties of his office as a councilman, shall neglect to

attend any two regular meetings of the council, in succession, or to act in his official capacity, when in attendance, the members of the council present shall have power to declare his seat vacant, and to appoint another in his stead, to serve until the next regular election.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 68.

## An Act

Relative to Tax Collectors in the county of Butler.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Butler are hereby empowered to exonerate any tax collectors, of said county, of uncollectable militia taxes, as fully, and with the same effect, as though the same had been done within the time now specified by law: *Provided*, Said exonerations be claimed, and presented to the said commissioners, within six months after the passage of this act.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 69.

**An Act**

Relative to an act authorizing a re-view of a State road from New Castle, Lawrence county, to Emlenton, Venango county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proceedings, report, and return, of the viewers appointed by an act of assembly of the thirty-first of March, Anno Domini one thousand eight hundred and fifty-nine, to re-view a state road from New Castle, Lawrence county, to Emlenton, Venango county, be and the same are hereby declared good, and valid, for all intents, and purposes, the same as if the said re-view, report, and return, of said viewers, had been made, returned, and filed, within the time mentioned, and directed, by the said act of the thirty-first of March, Anno Domini one thousand eight hundred and fifty-nine.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 70.

**A Supplement**

To an act relating to roads, highways, and bridges, approved June thirteenth, one thousand eight hundred and thirty-six.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sixty-third, the seventieth, the seventy-first, the seventy-second and the seventy-fifth sections of an act, entitled "An Act relative to roads, highways, and bridges," approved the thirteenth day of June, Anno Domini one thousand

eight hundred and thirty-six, be and the same are hereby extended to iron bridges, of the same dimensions, throughout this commonwealth.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 71.

## An Act

To authorize the appointment of Bridge Viewers in the county of Wyoming.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the judges of the several courts of Wyoming county shall appoint, upon petition, three persons, citizens of said county, one of whom shall be a practical, and competent, bridge builder, or carpenter, to view, and report, upon all bridges erected under, and by the, authority of the commissioners of Wyoming county; and in all other respects, the laws relative to county bridges, in Wyoming county, shall be and remain as they now are.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

## No. 72.

**Supplement**

To an act to incorporate the Western Insurance and Transportation Company, approved April the twenty-second, one thousand eight hundred and sixty-three.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Increase of capital stock authorized.

That the capital stock of the Western Insurance and Transportation Company, or by whatever name, style, and title, said company may be legally known, may be increased, from time to time, by the directors, with the consent of the holders of a majority of the stock; and the instalments, on the shares thus added, shall be paid in such amounts, and at such times, as the directors may order: *Provided*, The whole amount of increase shall not exceed twenty thousand shares.

Limitation.

Directors to report increase to the auditor general.

*SECTION 2.* Whenever the capital stock shall be increased, as provided in the preceding section, and as often as increased, the directors shall report the amount of increase to the auditor general, and shall, at the same time, pay into the treasury of the commonwealth the same percentage thereof, as is required by the act to which this a supplement, upon the original capital.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred sixty-four.

A. G. CURTIN.

## No. 73.

**A Supplement**

To an act to incorporate the Wissahickon, Roxborough and Plymouth Railroad.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the par value of the shares of the capital stock of said company be fifty dollars per share, instead of twenty-five dollars.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 74.

## An Act

To incorporate the Farmers' and Merchants' Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That Henry Welsh, Eli Lewis, Daniel Hartman, Philip A. Small, John A. Weiser, John Evans, Joseph E. Rosenmiller, Matthew Tyler, William Smith, (druggist,) Samuel Small, Edward G. Smyser, David Small, and William Wagner, of the borough of York, are hereby appointed commissioners, who, or a majority of whom, are authorized, and empowered, from, and after, the passage of this act, to establish an insurance company, by the name, and title, of the Farmers' and Merchants' Insurance Company, to be located in the borough of York, with a capital of one hundred thousand dollars, with the privilege of increasing to two hundred and fifty thousand dollars, divided into shares of fifty dollars each; and said company shall be organized, and managed, according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class, in the seventh section of said act: *Provided*, No buildings, or personal property of any kind, shall be insured outside of the limits of the county of York.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 75.

*An Act*

Relating to the occupancy of certain squares, and highways, in the city of Philadelphia, for the Great Central Fair, in aid of the Sanitary Commission.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the executive committee of the Great Central Fair, in aid of the sanitary commission, to be held in the city of Philadelphia, be and they are hereby authorized to occupy, by temporary frame, or other building, or buildings, so much of any of the public highways, and squares, in the said city of Philadelphia, as may be necessary for the use of the said fair, the said occupancy to be for as short a period as may be reasonably possible, and every such building to be removed on, or before, the fifteenth day of July, one thousand eight hundred and sixty-four, and the said highways, and squares, restored to their former condition, by that day: *Provided*, That the same shall be done under the direction of the commissioner of city property of said city.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 76.

*An Act*

Relating to certain powers of the County Commissioners of Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*



That from, and after, the passage of this act, the county commissioners, of Venango county, shall appoint a suitable person to keep in proper order the court room, and jury rooms, who shall be, and perform all the duties of, court crier, of the several courts of said county, and receive for his services, such compensation as said commissioners may determine, from time to time, and shall hold said appointment for three years, unless sooner revoked, by the authority making it, for negligence or misconduct.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 77.

## An Act

To repeal the fourth section of an act to provide for the relief of the families of drafted men, and volunteers, in the county of Erie, and to extend the provisions of the remaining sections of said act to the city of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fourth section of an act, entitled “An Act to provide for the relief of the families of drafted men, and volunteers, in the county of Erie,” approved February twenty-seventh, Anno Domini one thousand eight hundred and sixty-three, be and the same is hereby repealed, and that the provisions of said act, of February twenty-seventh, Anno Domini one thousand eight hundred and sixty-three, be and the same are hereby extended to the city of Erie; and that the benefits of said act, of February twenty-seventh, Anno Domini one thousand eight hundred and sixty-three, be extended, (in case of any drafted man, or volunteer, having no family of his own,) to any relations of said soldiers, who were dependent upon such soldier for support, either in whole, or in part; and that such relation, or relations, shall receive the benefits of said

## LAWS OF PENNSYLVANIA,

act, whether said soldier shall still be in the service, or shall have died, or been disabled in the service of the United States.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 78.

## An Act

To increase the compensation of the Supervisors of the township of Broad Top, in the county of Bedford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from, and after, the passage of this act, the compensation of the supervisors of the township of Broad Top, in the county of Bedford, shall be two dollars for each, and every, day actually, and necessarily, employed by them, in the discharge of the duties of their offices, in lieu of the compensation now allowed them by law.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 79.

## An Act

To vacate a part of West street, in the borough of Bedford.

WHEREAS, The borough of Bedford was laid out, by the then proprietaries of Pennsylvania, (the Penns,) containing sundry streets, all of the width of sixty feet :

*And whereas*, The northern part of West street, in said borough, has never been opened, except to the width of twenty-one feet, six inches, which is now, and always has been, abundantly sufficient to accommodate the public ; and to open the residue of said street, would work great injury to the property-holders, adjacent thereto, without affording any advantage to any one ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the western part of West street, in the borough of Bedford, to the extent of thirty-eight feet six inches in width, be and the same is hereby vacated, so far as said West street extends from Pitt street, in said borough, north to the Raystown Branch of the Juniata river.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 80.

## An Act

Authorizing the purchase, or erection, of a building for township purposes, in the township of Concord, Erie county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*,

That the road commissioners of the township of Concord, in the county of Erie, be and they are hereby authorized to purchase, or cause to be erected, in the said township of Concord, a house of sufficient dimensions to be used for town meetings,

Road commissioners authorized to purchase, or erect, house for town-ship purposes.

Proviso. and election purposes, with such lot of ground as may be adequate for said building: *Provided*, The same shall be purchased, or erected, on, or before, the first day of November, Anno Domini one thousand eight hundred and sixty-four.

May levy tax therefor. SECTION 2. That it shall be lawful for said road commissioners, and their successors in office, to take charge of, and keep in repair, said building, and to levy, and collect, so much tax upon the taxable property, in said township, as may be necessary to defray the expenses incurred under the provisions of this act.

Elections to be held therein. SECTION 3. That after said house shall have been purchased, or erected, in pursuance of the provisions of this act, the qualified electors of said township shall hold their township, and general, elections therein.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 81.

## An Act

To authorize the establishment of a Fire Department in the borough of Lebanon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess, and town council, of the borough of Lebanon, are hereby authorized to borrow any sum or sums of money, not exceeding, in the aggregate, twenty-five hundred dollars, at a rate of interest, not exceeding six per cent. per annum, which said sum, or sums, of money, shall be invested, or otherwise appropriated, in the establishment of a fire department, which shall be under the general direction of the said burgess and town council.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 82.

**A Supplement**

To an act to provide for the erection of a House for the Employment and Support of the Poor in the county of Schuylkill, passed the fourth day of April, one thousand eight hundred and thirty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the directors of the poor, and of the house of employment, for the county of Schuylkill, to meet at their office, in the alms house, on the first Monday of April, in the year of our Lord one thousand eight hundred and sixty-four, and annually on the first Monday of January thereafter, to appoint a steward, and a physician, and surgeon, and such other officers as may be deemed necessary, by the said directors, for the proper management of the alms house.

Directors to appoint a steward, physician, &c. annually.

SECTION 2. That so much of the act, entitled "A supplement to an act to provide for the erection of a house for the employment, and support, of the poor, in the county of Schuylkill," approved the twenty-third day of February, one thousand eight hundred and fifty-nine, creating the office of resident physician, and farmer, be and the same is hereby repealed.

Repeal of section creating office of resident physician, and farmer.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 83.

**An Act**

To protect sheep, and tax dogs, in the county of Montour.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the commissioners of the county of

Tax on dogs  
authorized.

Montour, and they are hereby required, to cause an accurate return to be taken annually, by the assessors of the several townships, and wards, within said county, of all dogs, upwards of one month of age, owned, or possessed, by any person, or persons, within the respective townships, or wards, of said county; and when the commissioners shall have so ascertained the number of dogs aforesaid, they shall levy, and cause to be collected, annually, from every person, or persons, owning, and possessing, one, or more, dogs, fifty cents for each dog owned, and possessed, by him, or them, by the collectors of the several townships, or wards, at the same time, and in the same manner, the county rates, and levies, are collected, for which, the said collectors shall be allowed five per centum, out of the money so collected; and it shall be the duty of the county treasurer, to keep separate accounts of the money arising from the tax on dogs; and the said money shall be, and hereby is, appropriated as a fund for remunerating the inhabitants of the said county, for any loss they shall sustain, after the passage of this act, by sheep being destroyed by a dog, or dogs.

Collection of.

How to be ap-  
propriated.

Assessment and  
payment of  
damages sus-  
tained by own-  
ers of sheep.

SECTION 2. When any inhabitant, of the county aforesaid, shall have had any sheep destroyed by a dog, or dogs, he, or she, may apply to the appraisers, appointed by this act, and they, or any two of them, are hereby authorized, and required, to view, and ascertain, the damage sustained by the owner of such sheep, destroyed as aforesaid, and when they have ascertained the legality of the claim, and the damages so sustained, they, or any two of them, shall certify the same, under their hands, and seals, to the commissioners of the county, who shall draw their warrant on the treasurer of the county, for the amount so certified, to be paid out of the fund arising from the tax on dogs; but if there shall not be sufficient money in the treasury, belonging to said fund, then the said warrant shall be kept by the person, in whose favor it shall have been drawn, and shall be paid out of the first money that shall come into the treasury, belonging to said fund.

Appraisers of  
damages ap-  
pointed.

SECTION 3. The persons elected to audit, and settle, the accounts of the supervisors of the highways, in the several townships, and wards, in said county, shall be, and they are hereby, appointed appraisers of the damage done by dogs, to sheep, within their respective townships, or wards, and shall have full power to examine persons, who may appear before them, upon oath or affirmation, to be administered by them, and shall receive for their services, each fifty cents per day, to be paid out of the fund aforesaid, on warrant drawn by the commissioners of the county.

Dogs to be  
deemed per-  
sonal property,  
&c.

SECTION 4. Every dog, taxed by the provisions of this act, shall be deemed, and held, to be personal property, and shall be as much the subject of larceny, as other kinds of personal property, and the owner, or owners, for injuries to such dog, shall have the same remedies as exist with respect to any other personal property: *Provided*, That any person, or persons, who shall kill a dog, in the act of killing, or tearing, a sheep, or immediately after, shall not be liable in damages to the owner: *And provided further*, That every dog, not returned,

Proviso.

Proviso.

shall be deemed to have no owner, and may lawfully be killed by any person seeing him run at large.

SECTION 5. It shall be the duty of every owner of a dog, Dogs known to known to have killed sheep, to kill such dog, so owned by destroy sheep him; and if such owner, after notice of his dog having de- to be killed. stroyed sheep, neglect, or refuse, for the space of ten days to kill such dog, he shall pay for such neglect, or omission, the penalty of ten dollars, to be sued for, and recovered, before Penalty. any justice of the peace, in said county, by the same process as debts of like amount are collected, by any person, in said county, who may sue for the same, one-half the money to be retained by the person suing, and the other half to be paid into the fund in this act aforementioned.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 84.

## An Act

Relating to the payment of bounties to volunteers, in the county of Lebanon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all bonds, warrants, or certificates of indebtedness, issued All bonds, &c., by the commissioners of Lebanon county, for the payment of issued, made bounties to persons volunteering to enter the military service valid. of the United States, under any requisition heretofore made by the President of the United States, be and the same are hereby legalized, made valid, and binding upon the said county, as if full, and legal, authority, had existed for the issuing, and making, of the same, when they were issued, and made.

SECTION 2. That all payments of bounties to volunteers, Payments of entering, or having entered, the service of the United States, bounties, and as aforesaid, by the commissioners of said county, and all loans, loans, legalized. made for the purpose of making such payments, be and the same are hereby legalized, and made valid.

Assessments, heretofore made, legalized. **SECTION 3.** That all assessments, heretofore made, of taxes, for the purpose of paying bounties, as aforesaid, be and the same are hereby legalized, and made valid.

Commissioners authorized to borrow money. **SECTION 4.** That the commissioners of the county aforesaid, are hereby authorized to borrow such sum, or sums, of money, as may be sufficient to pay to each, and every, non-commissioned officer, and private soldier, who volunteered, and entered the military service of the United States, on, or after, the seventeenth day of October, Anno Domini one thousand eight hundred and sixty-three, and to each, and every non-commissioned officer, and private soldier, who may hereafter volunteer, and enter the service of the United States, in pursuance of any requisition of the President of the United States, or the Governor of this Commonwealth, a sum not exceeding three hundred dollars.

Bonds to be issued. **SECTION 5.** That the said commissioners are hereby authorized, for the purpose of carrying out the provisions of this act, to borrow money, and issue bonds, no bond to be less than the sum of one hundred dollars, in the name of the said county, with, or without, interest coupons attached, payable in one year, or five years, at the option of said commissioners, and to levy, assess, and collect, such taxes as may be necessary to meet the principal, and interest, of said bonds as shall become due and payable.

Collection of. **SECTION 6.** That the said commissioners be and are hereby authorized to levy, and collect, in the mode, and manner, in which county rates, and levies, are now laid, and collected, a special tax to pay the loan, or loans, so as aforesaid : *Provided*, That the said commissioners shall have power to grant exonerations, as the equity of each particular case may require.

Exonerations. **SECTION 7.** That the special tax aforesaid, be and the same is hereby expressly appropriated to the payment of the loans aforesaid, and shall not be applicable, nor applied, to any other purpose whatsoever.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 85.

*An Act*

Relating to the payment of bounties to volunteers, by the Commissioners of Delaware county.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That all payments of bounties, by the commissioners of Delaware county, to volunteers, who entered the service of the United States, or the service of this commonwealth, for the purpose of repelling the invasion of the commonwealth, by the rebel army, in the year, Anno Domini one thousand eight hundred and sixty-three; and all loans made by said commissioners, for the purpose of making such payments, be and the same are hereby legalized, and made valid, and binding upon the said county of Delaware, in the same manner, and with like effect, as if full legal authority had existed, for the making of said payments and loans at the time they were so made.

Payments of bounties to volunteers, at the time of the rebel raid in 1863, legalized.

*SECTION 2.* That the commissioners of said county are hereby authorized to pay to each, and every, volunteer, who entered the service of the United States, or the service of this commonwealth, from the said county, for the purpose of repelling the invasion aforesaid, and to whom the regular bounty, recommended by the citizens of Delaware county, has not been heretofore advanced, and paid, by said commissioners, the sum of fifty dollars.

Bounty to be paid to such as may not have received it at that time.

*SECTION 3.* That the said commissioners are hereby authorized to pay to each, and every, acceptable person, without distinction of color, who shall voluntarily enlist, and be mustered, and sworn, into the military service of the United States, for three years, or the war, or who has already so enlisted, and been mustered, and sworn, into said service, and who shall be credited to Delaware county, on her quota, under the calls of the President of the United States, dated respectively, October seventeenth, Anno Domini one thousand eight hundred and sixty-three, and February first, Anno Domini one thousand eight hundred and sixty-four, the sum of three hundred and fifty dollars: *Provided,* That the said bounty shall not be paid to any person, or persons, so volunteering, after the quota of said county shall be filled.

Commissioners authorized to pay bounty to volunteers, under late calls.

*SECTION 4.* That for the purpose of re-paying the loans mentioned in the first section of this act, and for the purpose of carrying out the provisions of sections two and three, the commissioners of said county are hereby authorized, and empowered, to borrow such sum, or sums, of money as may be sufficient therefor, not exceeding the sum of three hundred thousand dollars, and to issue bonds therefor, in the name of the county of Delaware, bearing interest, not exceeding six per cent. per annum, for such sums, and payable at such times, and in such

*Proviso.*

May borrow money, and issue bonds.

- Taxation.** manner, as may be determined upon by said commissioners; and to levy such taxes, as may be necessary to meet the payment of the principal, and interest, of said bonds, as the same shall become due, which taxes, and levies, shall be assessed, levied, and collected, as other county taxes are assessed, levied, and collected : *Provided however*, That the said commissioners shall so proceed in the premises, as to allow, to the people of said county, as much time for the payment of said bonds as may, in the judgment of the commissioners aforesaid, be least oppressive, not exceeding, however, the period of twenty years, for the payment of the whole debt, and the interest thereon.
- Proviso.**
- How money to be disbursed.** SECTION 5. That the money, so borrowed, shall be paid over to the treasurer of Delaware county, and by him disbursed, on warrants issued by the said commissioners, according to the provisions of this act : *Provided*, That no person shall be entitled to receive the bounty of fifty dollars, authorized by the second section of this act, or any part of said bounty, who did not enter the military service of the United States, or the like service of the state of Pennsylvania, from said county, for the purposes in said second section set out ; and further, that no person shall be entitled to receive the bounty of three hundred and fifty dollars, authorized by the third section of this act, or any part of said bounty, who shall not have been regularly mustered, and sworn, into the military service of the United States, and credited to the said county, on its quota, under the drafts ordered by the aforesaid calls of the President of the United States.
- Proviso.**
- Bounty of deceased soldiers, relative to.** SECTION 6. That if any person who would have been entitled to the aforesaid bounties, provided by the second and third sections of this act, has died, or may hereafter die, before receiving the money, the same shall be paid to such person, or persons, as, by the laws of the United States, would be entitled to receive the bounty of deceased soldiers.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 86.

**An Act**

To authorize the School Directors of Richhill township, Greene county, to borrow money, and levy a tax, for the payment of bounties to volunteers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of Richhill township, Greene county, be and they are hereby authorized, if they shall deem the the same expedient, to borrow, at a rate of interest not exceeding six per cent. per annum, a sum of money sufficient to pay to each person, who may enlist in the army of the United States, under the late calls of the President, and to the credit of said township, a bounty of two hundred dollars.

School directors  
authorized to  
borrow money.

SECTION 2. That the school directors of said township be and they are hereby authorized to levy, and collect, a special tax upon, and from, all persons, and all property, in said township, liable to state and county tax, a sum sufficient to pay to each person, who may enlist in the army of the United States, under the late calls of the President, for volunteers, and to the credit of said township, a bounty of two hundred dollars, and for the purpose of re-paying any money which may be borrowed, under the first section of this act.

Special tax to  
be levied.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 87.

## A Supplement

To the act, entitled "An Act to incorporate the village of Hyde Park into a borough," passed the fourth day of May, Anno Domini one thousand eight hundred and fifty-two.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Payment of  
bounties to vol-  
unteers, autho-  
rized.

That the burgess, and town council, of the borough of Hyde Park, may, from time to time, during the continuance of the present war, or rebellion, pay to persons, who may or will volunteer into the military service of the United States, under any of the calls of the President thereof, who shall be accredited to the quota of the said borough, a bounty of such sum, or sums, as they, or a majority of them, shall deem proper, not to exceed three hundred dollars to each volunteer.

Bonds to be is-  
sued.

**SECTION 2.** The burgess and town council, or a majority of them, shall issue bonds, or certificates of indebtedness, bearing interest, not to exceed seven per cent. per annum, payable to bearer, at such time, or times, as they, or a majority of them, shall see fit, none of which shall be payable in less than three months, or more than ten years, from the date thereof; said bonds, or certificates, to be in such sums as the burgess and town council, or a majority of them, shall deem proper; which bonds, or certificates of indebtedness, may be paid to such volunteer, or disposed of by the burgess and town council, at their par value, to raise a fund, out of which, to pay such volunteer the bounty aforesaid: *Provided*, That the whole amount of said bonds, or certificates of indebtedness, shall not exceed fifty thousand dollars.

Proviso.

Tax to be levied.

**SECTION 3.** The burgess and town council, or a majority of them, shall levy a tax upon all property, notes upon interest, trades, professions, and occupations, male persons, and corporations, in said borough, which shall not exceed twenty mills upon the dollar, in one year: *Provided however*, That the tax on trades, professions, and occupations, shall not exceed five dollars; said tax shall be called the bounty tax, and shall be applied to the payment of said certificate, or bonds of indebtedness; interest on said bonds, or certificates of indebtedness, shall be paid annually.

Limitation.

How to be ap-  
plied.

Assessment.

**SECTION 4.** The said tax shall be levied on the same assessment, and adjusted valuation, for said borough, as the state and county tax is.

Collector and  
treasurer.

**SECTION 5.** The burgess and town council, or a majority of them, shall appoint a collector, and the said burgess shall issue his warrant to the said collector, to collect the said tax, who shall give, to the said borough, his bond, double the amount of the duplicate, with good, and sufficient, sureties, to be ap-

proved of by the said burgess and town council, or a majority of them, who shall also appoint a treasurer, and approve of his sureties, in like manner as the collector.

SECTION 6. Said tax (except exonerations) shall be collected within six months from the time the duplicate shall go into the hand of the collector; and for the enforcement of the collection of the said tax, the collector shall have the same power of levy, and sale of property, of delinquents, and of conveying delinquents to the county jail, and the same process that the collectors of the state and county tax have; and the collector shall receive the same fees for such services.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY.

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 88.

Dr. Fort

Relating to the payment of Bounties to Volunteers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

That all bonds, warrants, or certificates of indebtedness, issued by the commissioners, or commissioners and controller, of any county, or the corporate authorities of any city, ward or borough, or the school directors, or road commissioners, or supervisors, of any township of this commonwealth, for the payment of bounties to persons volunteering to enter the military or naval service of the United States, under any requisition heretofore made by the President of the United States, be and the same are hereby legalized, made valid and binding upon such counties, cities, wards, boroughs, and townships, as if full and legal authority had existed for the issuing and making of the same when they were issued and made; and that in all cases where any special committee, commissioners, or an individual or individuals, of any county, city, township, borough or ward, shall have subscribed and paid, or become personally liable for the payment of money, for the purpose of paying bounties to volunteers, under the late calls of the President of the United States, who have been mustered into the United States military service, and credited to such county, city, township, ward,

All bonds, warrants, &c., issued for the payment of bounties, legalized.

Advancements and subscriptions made by committees, individuals, &c., made valid, as against counties, cities, &c.

Commissioners, supervisors, councils, and school directors, authorized to levy tax therefor.

All payments of bounties, and loans, made, legalized.

Agreements, and contracts, made by corporate authorities with committees, or individuals, relative to.

Money may be borrowed, bonds issued, and taxes levied, for refunding such advancements.

Collection.

Boards of election officers may act, in certain cases.

Assessments heretofore made, legalized.

Exemptions.

or borough, with the understanding, or agreement, that a law would be enacted to levy and collect a tax upon such county, city, township, borough, or ward, for the payment of such advancement and liabilities, all subscriptions, so paid, or money borrowed as aforesaid, shall be good and valid against such county, city, township, borough, or ward, as if the same had been subscribed or borrowed by the corporate authorities of the same, under the provisions of this act; and it shall be the duty of the commissioners, supervisors, councils, or school directors, as the case may be, to proceed to levy and collect a tax upon such county, city, township, borough, or ward, sufficient to pay the principal of all such claims, with interest thereon until the day of payment, together with the cost of collection thereof.

SECTION 2. That all payment of bounties to volunteers, entering the service of the United States as aforesaid, by the commissioners, or the commissioners and controller, of any county, or the corporate authorities of any city, ward, or borough, or by the school directors, or road commissioners, or supervisors, of any township of this commonwealth, and all loans made by said authorities, for the purpose of making such payments, be and the same are hereby legalized and made valid

SECTION 3. That the authorities aforesaid are hereby authorized, and required, to execute, and complete, all agreements, and contracts, heretofore made by the aforesaid authorities of such counties, cities, wards, boroughs, or townships, for the payment of bounties, as aforesaid, or for refunding advancements made for that purpose by any committee, special commissioners, individual, or individuals, on condition that they should be refunded, according to the true intent and meaning of such agreements and contracts; and for that purpose the said authorities are hereby authorized to borrow money, and issue bonds, warrants, or certificates, in the name of such county, corporations, or townships, with or without interest coupons attached, payable at such time and place as may be agreed upon, and to levy such taxes as may be necessary to meet the payment of the principal and interest of said bonds, warrants and certificates, as the same shall become due; which taxes and levies shall be assessed, and collected, as other county, city, ward, borough, or township, taxes are assessed, levied, and collected: *Provided*, That in all election, or enrolment, districts, not having any constituted authorities, as contemplated by this act, competent to levy and collect said tax, the board of election officers of such district shall be authorized to levy, and proceed to have said tax collected in such districts.

SECTION 4. That all assessments heretofore made of taxes for the purpose of paying bounties, as aforesaid, be and the same are hereby legalized and made valid: *Provided*, That the property of non-commissioned officers, and privates, in actual service in the United States army and navy, from this commonwealth, or who died, or were permanently disabled, in such service, or having been in such service for the space of one year and six months, were honorably discharged therefrom, and the property of widows, minor children, and widowed mothers of non-commissioned officers, and privates, who died

in such service, shall be exempted from any taxation under the provisions of this act: *Provided*, That the provisions of the first, second, third and fourth sections of this act shall be so understood as to have reference only to such agreements and contracts as have been entered into by the authorities aforesaid, subsequent to the seventeenth day of October, one thousand eight hundred and sixty-three.

Limitation as to time, when such contracts may have been entered into.

SECTION 5. That all the provisions of the fourteenth section of an act to create a loan, and provide for arming the state, passed the fifteenth day of May, one thousand eight hundred and sixty-one, which authorized the associate judges, and county commissioners, of the several counties of this commonwealth, to constitute a board of relief for the families of such volunteers as have been, or shall be, enrolled and mustered into service from their several counties, are hereby extended, and applied, to the families of men who have been, or may hereafter be, drafted or conscripted, and mustered into the service of the United States, and credited to the quota of said counties, respectively; and all arrangements made by the several counties of this commonwealth, for the support of the families of volunteers, militia, drafted or conscripted men, mustered into the service, and credited, as aforesaid, are hereby legalized and confirmed; and full and legal authority is hereby given said county commissioners to borrow money for the payment of such expenses, and for the extension of such relief to the families of all private soldiers, and non-commissioned officers, who have been mustered in, or may hereafter be mustered into, the service of the United States, and credited as aforesaid, in pursuance of any requisition made, or to be made, by the President of the United States, or by any law of the United States now made, or hereafter to be made, or by the Governor of Pennsylvania, or any law of said commonwealth now made, or hereafter to be made.

Provisions relative to relief of families of volunteers, extended to those of drafted men.

All arrangements, made by counties in reference thereto, legalized.

County commissioners may borrow money for that purpose.

SECTION 6. That the commissioners of any and every county in this commonwealth are hereby authorized to borrow such sum, or sums, of money as may be sufficient to pay to each and every non-commissioned officer and private soldier who volunteered from such county, and entered the military or naval service of the United States, on, or, after the seventeenth day of October, Anno Domini one thousand eight hundred and sixty-three; and to each and every non-commissioned officer and private soldier who may hereafter volunteer and enter the service of the United States from such county, and be credited to the quota thereof, in pursuance of any requisition of the President of the United States, or any law of the United States now made, or hereafter to be made, a sum not exceeding three hundred dollars: *Provided however*, That in that part of any county where school directors, or road commissioners, or supervisors, of any township, or townships, or where the corporate authorities of any city, ward, or borough, or any committee, special commissioners, individual, or individuals, have paid, or have now commenced to raise a fund for the purpose of paying, such bounties, it shall be lawful for such school directors, or road commissioners, or supervisors, of such township, or townships, or the corporate authorities of such city,

Commissioners authorized to borrow money for the payment of a bounty not to exceed three hundred dollars

Corporate authorities of cities, wards, &c., school directors, road commissioners, or supervisors, may borrow money, and issue bonds.

Such townships, cities, wards, &c., as have filled their quotas, to be exempt from tax.	ward, or borough, to borrow such sum, or sums, of money as may be required to pay to each volunteer from such district, a sum not exceeding three hundred dollars; and it shall be lawful for such authorities of said townships, cities, wards, or boroughs, to issue bonds of said townships, cities, wards, or boroughs, for such sum, or sums, of money, and in such amounts as may be necessary to pay the authorized bounty to each volunteer required to fill the quota or quotas of such township, city, ward, or borough: <i>And provided further</i> , That such townships, cities, wards, and boroughs, as have filled their quota, or quotas, under any call or requisition heretofore made by the President of the United States, as aforesaid, without aid from the county, city, or borough, shall be exempt from any tax levied, or to be levied, by the said county, city, or borough, for the payment of bounties, or for the payment of any bonds issued by said county commissioners, city, or borough authorities, for the payment of bounties to volunteers to fill the quota aforesaid: <i>And provided further</i> , That no county, city, ward, township, borough, or other district, which shall have agreed, or offered, to pay, as bounty to each volunteer credited to such county, city, ward, township, borough, or other district, a larger sum than three hundred dollars, shall be subject to the limitation as to amount prescribed in this act; but any payment made, or to be made, or obligation given, or to be given, or liability incurred, or to be incurred, in pursuance of such offer or agreement, is hereby ratified and declared to be lawful and valid: <i>And provided further</i> , That in case the commissioners of any county, or the commissioners and controller of any county in this commonwealth, shall neglect, or refuse, to take the necessary steps to raise, or complete the raising of bounties in townships, wards, and boroughs, not having raised, or commenced to raise, bounties at the time of the passage of this act, then, and in that case, said township, ward, or borough, by their authorities aforesaid, shall have power to proceed and raise bounties as fully and as effectually as if done by the county authorities.
Limitation, as to amount of bounty, not to extend to districts which have offered more.	
Payments made, in pursuance of such agreements, legalized.	
In case county commissioners neglect, or refuse, to act, township and borough authorities may raise bounties.	<b>SECTION 7.</b> That the said county commissioners, or school directors, road commissioners, or supervisors, of any township, or corporate authorities of any city, ward, or borough, are hereby authorized, (for the purpose of carrying out the provisions of this act,) to borrow money, and issue bonds, or certificates of indebtedness, no bond, or certificate, to be less than the sum of twenty-five dollars, except when the bounty is less than twenty-five dollars, in the name of such county, township, city, ward, or borough, with, or without, interest coupons attached, payable at such times, and in such manner, as may be agreed upon; and to levy, and assess, on all property, professions, trades and occupations, subject to taxation, for state and county purposes, and collect such taxes as may be necessary to meet the principal, and interest, of said bonds and certificates, as they shall become due, and payable; which taxes shall be collected as county, city, ward, and borough, taxes are now levied and collected, including a <i>per capita</i> tax, of not more than one dollar, on all taxable male inhabitants: <i>Provided</i> , That only one <i>per capita</i> tax shall be levied in any
Bonds, relative to.	
Taxation.	
Collection.	
<i>Per capita</i> tax.	



one year: *Provided*, That in all cases where any person, or persons, liable to draft, have, for the purpose of raising the sum requisite to pay a bounty to the volunteers required to fill the quota of any county, city, ward, borough, or township, stipulated, in writing, to pay a sum greater than the amount of tax which would be due upon the assessed valuation of their real, or personal, property, it shall and may be lawful for the corporate authorities of such county, city, ward, borough, and township, to collect the amount so subscribed: *Provided*, That no bonds, or certificates, issued under any of the provisions of this act, shall be for a longer period than ten years: *Provided further*, That in all cases where a borough and township have separate boards of school directors, and are embraced in one district, for the purposes of the military draft, the directors of said districts are hereby authorized to act jointly in carrying into effect the provisions of this act.

In cases, where persons have stipulated to pay a sum greater than the tax due, the excess may be collected

Bonds not to be for more than ten years.

School districts, relative to.

SECTION 8. That in all cases where the county commissioners of any county, the school directors, road commissioners, or supervisors, of any township, or the corporate authorities of any city, ward, or borough, have levied a *per capita* tax upon persons subject to draft, or military duty, the action of said corporate authorities be and the same is hereby legalized and made valid.

The levying of a *per capita* tax on persons subject to draft, legalized.

SECTION 9. That in any case where a part of the bounty, authorized by this act, has been paid by any ward, township, city, or borough, and said ward, township, city, or borough authorities as aforesaid, shall neglect, or refuse, to pay such part as remains unpaid by the terms of their agreement to pay bounties to volunteers, then the difference between the sum so paid, and the full amount of the bounty promised, (not exceeding, in the whole, the sum of three hundred dollars to each volunteer,) shall be paid said volunteers by the county authorities, in which said ward, townships, cities, or boroughs, are located; and the county commissioners, in which said ward, townships, cities, or boroughs, are located, shall assess, levy and collect a tax on such defaulting ward, townships, cities, or boroughs, as other ward, township, city, or borough, taxes are levied and collected, in such amounts as may be required to pay the balance due the volunteers, as aforesaid, from such defaulting township, city, or borough.

County commissioners to pay any part of bounty remaining unpaid by city, ward, or township, authorities.

Tax to be levied for the same.

SECTION 10. That the money so borrowed by the county commissioners, shall be paid over to the treasurer of the proper county, who shall pay to each non-commissioned officer, or private soldier, who volunteered from, and has been credited to the quota of, such county, and has been mustered into the service of the United States, or has been honorably discharged therefrom, the sum of money to which such person shall be entitled, under the provisions of this act, on the warrant or order of the commissioners, drawn on him for that purpose; and said treasurer shall not receive more than one half of one per centum on any money so paid over to him.

County bounty to be paid to volunteers by county treasurer.

Compensation.

SECTION 11. That the money so borrowed by the school directors, or road commissioners, or supervisors of, any township, or the corporate authorities of any city, ward, or borough, shall be paid over to the treasurer of said city, ward, borough, or town-

Payment of city, ward, &c., bounties by treasurers, relative to.

ship, or when such officer does not exist, to a person duly appointed by said authorities of said township, city, ward, or borough, who, upon giving sufficient bonds, for the faithful performance of his duties, shall proceed to pay to such persons, in the manner directed by the tenth section of this act, and shall be allowed the same per centage as is allowed to the county treasurer, by the tenth section of this act: *Provided*, That the compensation allowed to any collector of taxes, under this act, shall not exceed two per centum.

Compensation  
of collectors.

Bounties to  
veterans re-  
enlisting.

SECTION 12. That in case any veteran soldiers, who have reenlisted, and have not been credited to any special locality, shall hereafter be credited, on the present draft, to the locality from which they originally volunteered, such veterans shall be paid by the local authorities, whose duty it is to pay bounties, such bounty as, under the provisions of this act, shall be paid to volunteers from said locality.

Bounties of de-  
ceased soldiers,  
relative to.

SECTION 13. That if any soldier, or non-commissioned officer, or private, who would have been entitled to receive the said bounty, shall have died before receiving the money, the proper authorities shall pay the same to such person, or persons, as by the laws of the United States would be entitled to receive the bounty of deceased soldiers.

How accounts  
of receipts and  
expenditures to  
be audited.

SECTION 14. That all accounts of the receipts and expenditures of the bounty fund, arising from any taxes that have been assessed, or that may be assessed for the purpose as aforesaid, shall be audited in like manner as other county, township, city, borough, or school district, accounts are audited.

Bonds, &c., is-  
sued exempt  
from taxation.

SECTION 15. All bonds, warrants, certificates of indebtedness, or loans issued, or to be issued, under the provisions of this act, or of any special act heretofore passed, or hereafter to be passed, authorizing particular cities, counties, wards, boroughs, or townships, to borrow moneys and pay bounties to volunteers, shall be exempt from all taxation.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 89.

*A Supplement*

To an act incorporating the borough of New Columbus.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the qualified citizens of said borough shall be allowed two justices of the peace; one to be elected at their first borough election after the passage of this act, and the other at the expiration of the commission of the one now in office. Election of justices of the peace.

SECTION 2. The burgess and town council may pass any ordinance, for any part of said borough, without extending the same over all the outside territory of said borough. Borough ordinances, relative to.

SECTION 3. That so much of the fourth section, of the third division, of an act approved April third, Anno Domini one thousand eight hundred and fifty-one, entitled "An Act regulating boroughs," requiring the corporate officers of boroughs to publish enactments, ordinances, or other general laws ordered, or passed, by the burgess and town council, in one newspaper, et cetera, at least ten days before the same takes effect, is hereby repealed, so far as relates to the borough of New Columbus, Luzerne county; but such notice shall be given by six written, or printed, hand-bills, posted up in the most public places within the bounds of said borough. Repeal of provision requiring enactments to be published in newspaper.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 90.

*A Supplement*

To an act relative to the collection of State and County Taxes in the townships of Greenwich and Maxatawny, Berks county, approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the provisions of the sixth section of the act, passed the twenty-fourth day of March, one thousand eight hundred and fifty-one, relative to the collection of state and county taxes of Greenwich and Maxatawny townships, Berks county, be and they are hereby extended to the township of Albany, in said county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 91.

*An Act*

To incorporate the Salina and Laytonia Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

**Commissioners.** That Thomas M. Parker, William Gates, Henry Mays, William L. Lay, C. B. McKinney, James S. Johnston, W. H. Steffee, William Cartright, or any four of them, be and are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style, and title, of the Salina and Laytonia Turnpike Company, with power to construct a turnpike, or plank road, or part turnpike, and part plank, from the town of Salina, in Venango county, to the town of Laytonia, in the same county, subject to all the provisions,

**Style.**

**Route.**

and restrictions, of an act, entitled "An Act regulating turn- Subject to.  
pike and plank road companies," approved the twenty-sixth  
day of January, Anno Domini one thousand eight hundred and  
forty-nine, and the several supplements thereto, except so far  
as they are hereby altered, or supplied.

SECTION 2. That the capital stock of said company shall con- Capital stock.  
sist of two hundred and fifty shares, of fifty dollars each share :  
*Provided*, That said company may, from time to time, by a  
vote of the stockholders, at a meeting called for that purpose,  
increase their capital stock so much as in their opinion may be  
necessary to complete the said road, and carry out the true  
intent and meaning of this act.

SECTION 3. That it shall be lawful for the said company to Authorized to  
use the whole, or any part, of any public street, or road, and use streets, and  
locate their road upon the ground occupied by any public street, other roads.  
or road, and the courts of quarter sessions of the county, in  
which the road of said company is located, shall appoint view-  
ers to view, and vacate, such parts of any public road as shall  
be used, or rendered unnecessary, by the construction of the  
said company's road, as is provided by the general road laws  
of this commonwealth in the cases of roads which have become  
useless.

SECTION 4. That the president and managers of said com- Rates of toll.  
pany shall have power to establish, and regulate, rates of tolls,  
not exceeding double the rates established by the acts herein-  
before mentioned, and to erect toll gates, and collect tolls,  
whenever one mile of their road shall have been completed.

SECTION 5. That the said company shall have power to bor- May borrow  
row money, at any rate of interest not exceeding eight per money.  
centum per annum, for the purpose of completing their road,  
and issue bonds therefor, and secure the same by mortgage of  
their road, and franchises.

SECTION 6. That all acts, or parts of acts, inconsistent with Repeal.  
the rights, and franchises, hereby granted, be and the same  
are repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini  
one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 92.

*An Act*

To continue in force the act, entitled "An Act changing the organization of the Court of Common Pleas of Lancaster county."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act changing the organization of the court of common pleas of Lancaster county," approved the thirteenth day of April, one thousand eight hundred and fifty-four, be extended, and continued in force, for another period of ten years, from the first day of December next; and that the qualified electors of Lancaster county, at the next general election, shall elect a competent person, learned in the law, to be an associate law judge of the said court, who shall hold his office for the term of ten years, from the first Monday of December next, if he shall so long behave himself well, and who shall perform the same duties, and exercise the same powers, as the judge now holding the said office, and receive the same compensation as the president judge of the said court.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 93.

*An Act*

Relative to the Bustleton and Somerton Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second section of an act, entitled "An Act relative to the Bustleton and Somerton Turnpike Road Company," approved the fourteenth day of April, Anno Domini one thousand

eight hundred and sixty-three, be and the same is hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 94.

## An Act

To authorize the borough of Manheim to borrow money.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That the burgess and town council of the borough of Manheim, in the county of Lancaster, be and they are hereby authorized to borrow any sum of money, not exceeding, in amount, the sum of eight thousand dollars, at a rate of interest not to exceed five per centum per annum, for the purpose of improving the streets, and alleys, in said borough, by piking, and paving, the same, and for such other purposes as the authorities of the same may direct: *Provided*, That no bonds, or certificates of loan, shall be issued for any sum less than one hundred dollars each: *And provided further*, That said loan shall not be subject to other taxes than for state and school purposes.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 95.

*An Act*

To incorporate the New Castle and Franklin Railroad Company.

Commissioners.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That George C. Reis, S. Q. Brown, J. C. Shaw, J. H. Robinson, George W. Cass, William Stewart, A. L. Crawford, James K. Kerr, Springer Harbaugh, John W. Blanchard, David Courtney, William G. Darley, J. Ziegler, John T. Bard, William Dilworth, Jr., Josiah King, Robert A. Nesmith, J. C. Murray, Samuel M. Keir, J. H. Smith, F. D. Kinnear, J. B. Brown, W. G. Rose, M. Waters, James Bleakley, or a majority of them, be and they are hereby appointed commissioners, to open books, receive subscriptions, and organize a company,
Title.	by the name, and style, of the New Castle and Franklin Railroad Company, with all the powers, and subject to all the provisions of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine : <i>Provided,</i>
Subject to.	That the time for completing said road shall be extended for the period of ten years : <i>And provided further,</i> That a president, vice president, and seven directors shall constitute the board of managers for said company.
Time for completing, extended.	SECTION 2. That the capital stock of said company shall be one hundred and fifty thousand dollars, and shall be divided into three thousand shares, of fifty dollars each, and the board of managers shall have power to increase the capital stock, from time to time, to an amount not exceeding six hundred thousand dollars; and the said company are hereby authorized to borrow any sum of money, not exceeding ten thousand dollars, and to issue bonds therefor, with, or without, coupons attached ; and the directors of said company shall have power to give such bonds such preference, or security, by mortgage, or otherwise, as they may deem advantageous : <i>Provided,</i>
Board of managers.	That no bond shall be for a less sum than one hundred dollars, and that such rate of interest, not exceeding seven per centum per annum, as may be agreed upon, shall be lawful.
Capital stock.	SECTION 3. That the said company shall have the right to build, construct, and equip, a single, or double, track railroad from, or near, New Castle, in the county of Lawrence, to Franklin, in the county of Venango, with the right to connect with any railroad now, or hereafter to be, built, at either end, or at any intermediate point, and with the right to construct branch, or lateral, railroads to the coal fields of Mercer, Lawrence, and Butler counties, with the same right of connection with other roads as that enjoyed by the main line : <i>Provided,</i>
May borrow money, and issue bonds.	
Proviso.	
Authorized to construct road and branches.	



The gauge of the said road shall not exceed four feet ten Gauge. inches.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 96.

## An Act

To change the name of the Pennsylvania Fiscal Agency.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the Pennsylvania Fiscal Agency shall be named, instead thereof, "The Credit Mobilier of America," with all the powers, privileges, and authorities, they had, under their former name, and be subject to all the restrictions, and liabilities, to which they were subject under the same.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 97.

*An Act*

To incorporate the Union Hall Association of Pottsville.

Preamble.

WHEREAS, William H. Johns, Charlemagne Tower, Charles Baber, George W. Snyder, David G. Yuengling, William Milnes, Charles F. Kopitzsch, Gideon Bast, George Bright, Richard R. Morris, Lawrence F. Whitney, Bernard Reilly, William Price, and others, citizens of Schuylkill county, and elsewhere, have subscribed to the capital stock of the Union Hall Association of Pottsville, which association has for its object, the purchase of ground, in the borough of Pottsville, and the erection of a building thereon, to be used for a town hall, and for other purposes; therefore,

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Governor to issue letters patent.

That the governor shall, by letters patent, under his hand, and the seal of the commonwealth, create, and constitute, the said subscribers to the said stock, and those that may hereafter be associated with them, their successors, and assigns, into a body politic, and corporate, in deed, and in law, by the name, style, and title, of "The Union Hall Association of Pottsville," and by that name, to have perpetual succession, with all the privileges, franchises, and immunities, incident to a corporation; to sue, and be sued, implead, and be impleaded, complain, and defend, in all courts of law and equity, of record, or otherwise; may make, have, and use, a common seal, and the same may alter, and amend, at pleasure; may, from time to time, ordain such by-laws, ordinances, and regulations, as may be necessary, and convenient, for the proper government of the said corporation, the same not being contrary to the constitution of the United States, and the constitution of this commonwealth, and generally may do all, and singular, the matters and things necessary for the well being, and due management, of said corporation; and also, shall have power to purchase, and hold, any lot, or lots, of ground, in the borough of Pottsville, and to erect thereon any building, or buildings, and make such improvements to, and upon, the same, as to said corporation may seem expedient and proper.

Name of corporation.

Privileges.

Seal.

By-laws.

Capital stock.

Certificates of subscription.

Stock transferable.

*SECTION 2.* That the capital stock of said corporation shall not exceed the sum of seventy-five thousand dollars, in shares of twenty-five dollars each; certificates whereof shall be issued to the subscribers, for the number of shares by them respectively subscribed, signed by the president, and treasurer, and countersigned, and registered, by the secretary, and sealed with the common seal of said corporation; which stock shall be transferable in person, or by attorney, executors, administrators, guardians, or trustees, under such regulations, and restrictions, as may be provided by the by-laws.

SECTION 3. That the number of directors of said corporation shall be seven, and that Edward Yardley, Charles Baber, David G. Yuengling, Samuel Harrison, William Milnes, Jr., Charles W. Pitman, and Solomon Foster, the present directors of said association, shall be the directors of said corporation until the first annual election, and until others are chosen; and all their acts, and doings, prior to the adoption of this charter, in pursuance of their duties as directors as aforesaid, are hereby declared valid, and binding upon the corporation, and all members thereof.

Directors.

SECTION 4. That the directors of said corporation, for the time being, are hereby authorized, and empowered, to exercise all the powers granted to the corporation; they shall meet at such times, and places, as they may deem most expedient for the transaction of their business, and when met, four shall be a quorum; they shall elect one of their number to be president of the corporation; the president, if present, shall preside at all meetings of the directors, and have the right to vote only in case of a tie. In the absence of the president, the board of directors shall appoint a president *pro tempore*; they shall keep a minute of their proceedings in a suitable book to be provided for that purpose; shall choose a secretary, and treasurer, each of whom shall be a stockholder of the corporation, and may appoint, and employ, all such officers, agents, superintendents, architects, artizans, workmen, and other persons, as in their opinion may be necessary, and proper, for the erection of a building, and buildings, and in the management of the affairs, and business, of said corporation, at such times, and in such manner, and under such regulations, as they may determine; they shall fix the salaries, and wages, of such officers, and persons, employed by them, and may require bond, with security, in such sums as they may deem proper, of each, and every, of such officers, and other persons, by them appointed, and employed, for the faithful discharge of their duties. They are also authorized to design, determine, and contract, for the erection of any building, or buildings, and for any improvements they may deem necessary upon the same, or upon the ground, or grounds, connected therewith, and to lease the property belonging to the corporation, or any part, or portion, of the same, to such lessee, or lessees, for such term, or terms, at such annual, or other, rents as may be determined by the board, and generally may do all such acts, matters, and things, as by this act, and by-laws of the association, they may be authorized to do.

Powers of directors.

President.

Officers, agents, &amp;c.

Erection of buildings, &amp;c., relative to.

May lease their property.

SECTION 5. That dividends of so much of the profits of the corporation, as shall appear advisable to the directors, shall be declared, and paid to the stockholders, or their representatives, at such time, and places, as may be provided by the by-laws.

Dividends.

SECTION 6. That the election for directors shall be conducted as follows, to wit: At, and before, each election the board of directors shall appoint three stockholders, not being candidates, nor directors, to be judges of said election, and to hold the same, who shall respectively take, and subscribe, an oath, or affirmation, before any officer competent to administer an oath, well, and truly, and according to law, to conduct said election

Election of directors, how conducted.

- to the best of their knowledge, and ability; and the said judges shall decide upon the qualifications of voters, and when the election is closed, shall count the votes, and declare who have been elected, and certify the same to the board of directors who appointed them; and also, notify each of the directors elected of his election. And if, at any time, it shall happen that an election of directors shall not be held at the time specified, the corporation shall not for that reason be dissolved, but it shall be lawful to hold such election on any day, within three months thereafter, by giving at least ten days' previous notice of the time, and place, of holding such election, in at least one newspaper published in the borough of Pottsville; and the directors of the previous year shall, in that case, continue in office, with all the powers belonging to them, as such, until others are elected. The election shall be by ballot. Each share of stock shall entitle the holder thereof to one vote, and each ballot shall have endorsed thereon the number of shares thereof represented. No proxy shall be received, or entitle the holder to vote at any election, or general meeting, unless the same shall bear date within three months next preceding such election, or general meeting.
- Notice.** SECTION 7. That the annual election of directors of said corporation shall be held at such place as may be fixed by the by-laws, on the first Tuesday of May, in every year, of which, notice shall be given by the secretary, at least two weeks previously, in at least one paper published in the borough of Pottsville.
- Votes.**
- Proxies.**
- Time of holding the annual election.**
- Directors to be stockholders.** SECTION 8. That no person shall be eligible to the office of director of said corporation, unless he is a stockholder; and that in case of the death, or resignation, of any director, the remaining directors may supply the vacancy until the next election.
- Restaurant room, relative to.** SECTION 9. That any lessee of the restaurant room in the building to be erected by said corporation, who may have obtained an eating house license, shall have the right, and privilege, to sell spirituous, and vinous, liquors, by paying the usual hotel license therefor.
- Reservation.** SECTION 10. That the legislature hereby reserves the right to alter, revoke, or annul the privileges, and charter, hereby granted, whenever the same shall become injurious to the citizens of this commonwealth; in such manner, however, that no injustice shall be done to the corporators.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 98.

## An Act

To incorporate the Hickorytown Beneficial Society, of Plymouth township,  
Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Seth Schlater, John Marple, Reuben H. Speelhoffer, Milton Ritter, Daniel Davis, Andrew Hart, Jesse Sheppard, and William Schlater, Junior, their associates, and successors, be and they are hereby created, and declared, to be a body politic, and corporate, by the name, style, and title, of the Hickorytown Beneficial Society, of Plymouth township, Montgomery county, and by the same name, shall have perpetual succession, be able to sue, and be sued, implead, and be impleaded, in all courts of record, or elsewhere, to purchase, and receive, by bequest, or otherwise, to have, hold, and enjoy, to them, and their successors, lands, tenements, rents, annuities, franchises, and hereditaments, goods, and chattels, of whatever nature, kind, or quality soever, real, personal, or mixed, and the same, from time to time, to sell, grant, devise, alien, or dispose of: *Provided,* The clear yearly value, or income, of the real, and personal, estate, of the said corporation, shall not exceed fifteen hundred dollars; and also, to make, and have, a common seal, and the same to break, alter, and renew, at pleasure; and also, to ordain, establish, and put in execution, such by-laws, ordinances, and regulations, as shall appear necessary, and convenient, for the admission of members, and the government of the said corporation: *Provided,* They shall not be contrary to the provisions of this act, the constitution of the United States, and of this commonwealth; and generally to do all, and singular, the matters, and things, which to them shall lawfully appertain to do, for the well-being of the said corporation, and the due management, and ordering, of the officers thereof.

SECTION 2. The objects of this corporation shall be solely, for the association of such persons that are now, or may hereafter become, members thereof, into a body politic in law, for the purpose of granting relief to such of the members as may become sick, or disabled, in such manner, and amount, as may be provided for in their by-laws, and for no other object whatever; and it is further provided, that the affairs of this corporation shall not be wound up, so long as a quorum of five members shall meet, and oppose the same; reserving to the legislature the right to alter, or annul, this act, whenever, in their opinion, this corporation shall have become injurious to the state, or the citizens thereof: *And provided further,* That the enrolment tax, on this charter, shall be the same that is

imposed on mutual insurance charters, by act of sixteenth of April, one thousand eight hundred and forty-five.

HENRY C JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN

No. 99.

## An Act

To incorporate the Soldiers' National Cemetery.

Preamble.

WHEREAS, The commonwealth of Pennsylvania has purchased seventeen acres of land on Cemetery hill, on the Gettysburg battle field, in the county of Adams, for a cemetery for the burial of the remains of the soldiers who fell in the battle of Gettysburg, and the skirmishes incident thereto, in defence of the Union, or died thereafter from wounds received in that battle and the skirmishes; therefore,

Titles to lands confirmed.

Purposes of purchase.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the titles to the said lands purchased, as set forth in the foregoing preamble, are hereby ratified and confirmed, and shall vest and remain in said commonwealth, in fee simple, in trust for all the states having soldiers buried in said grounds; and the said grounds shall be devoted in perpetuity to the purpose, for which they were purchased, namely: for the burial and place of final rest of the remains of the soldiers, who fell in defence of the Union, in the battle of Gettysburg; and, also, the remains of the soldiers, who fell at other points north of the Potomac river, in the several encounters with the enemy, during the invasion of Lee, in the summer of one thousand eight hundred and sixty-three, or died thereafter, in consequence of wounds received in said battle and during said invasion.

Commissioners.

SECTION 2 That B. W. Norris, of the state of Maine, ———, of the state of New Hampshire, Paul Dillingham, of the state of Vermont, Henry Edwards, of the state of Massachusetts, John R. Bartlett, of the state of Rhode Island, Alfred Coit, of the state of Connecticut, Edward Cooper, of the state of New York, ———, of the state of New Jersey, David Wills, of the state of Pennsylvania, Benjamin Deford,

of the state of Maryland, John R. Latimer, of the state of Delaware, ———, of the state of West Virginia, Gordon Lofland, of the state of Ohio, John G. Stephenson, of the state of Indiana, Clark E. Carr, of the state of Illinois, W. Y. Selleck, of the state of Wisconsin, Thomas White Ferry, of the state of Michigan, ———, of the state of Minnesota, being one commissioner from each state, having soldiers buried in said cemetery, be and they and their successors are hereby created a body politic in law, under the name, style and title of the Soldiers' National Cemetery, and by that name, style and title shall have perpetual succession, and be able and capable in law to have and use a common seal, to sue and be sued, plead and be impleaded, in all courts of law and equity, and to do all such other things as are incident to a corporation.

Incorporation.

Privileges.

SECTION 3. The care and management of the grounds, referred to in the preamble and first section of this act, are hereby entrusted solely to the commissioners named in the second section of the same, and those hereafter appointed to represent the states therein named, and their successors in office; the said commissioners shall constitute a board of managers, whose duty it shall be, out of funds that may be in the hands of the treasurer of the corporation, by state appropriations, or otherwise, to remove the remains of all the soldiers referred to in the first section of this act, that have not already been removed to the cemetery, and have them properly interred therein; and, also, to lay out, fence and ornament, to divide and arrange into suitable plots and burial lots, establish carriage-ways, avenues and foot-ways, erect buildings, and a monument, or monuments, and suitable marks to designate the graves, and generally to do all other things, in their judgment, necessary and proper to be done, to adapt the ground and premises to the uses, for which it has been purchased and set apart.

Management of grounds entrusted to the commissioners.

Their duties.

SECTION 4. The business of the corporation shall be conducted by the commissioners aforesaid, and their successors in office; the said commissioners shall meet within sixty days after the passage of this act, and organize by electing one of their number president; they shall also appoint a secretary and treasurer, and shall have power to employ such other officers and agents as may be needful; they shall require of the treasurer to enter into bonds, to the corporation, in double the probable amount of money that may be in his hands, at any one time, during his term of office, with two or more sufficient sureties, conditioned for the faithful discharge of his duties, and the correct accounting for, and paying over of, the money; which said bond, or bonds, shall be approved by the court of common pleas of Adams county, and recorded in the office of the recorder of deeds, in and for said county; the term of office of the officers of the board of commissioners aforesaid shall expire on the first day of January, of each and every year, or as soon thereafter as their successors may be duly chosen and qualified to act.

When commissioners to meet.

Organization.

Treasurer to give bonds.

SECTION 5. At the first meeting of the commissioners heretofore named, they shall be divided, by lot, into three classes, and the term of office of the first class shall expire on the first day of January, Anno Domini one thousand eight hundred and

Commissioners to be divided into classes.

Vacancies to be filled by the governors.

sixty-five; the second class, on the first day of January, Anno Domini one thousand eight hundred and sixty-six, and the third class, on the first day of January, Anno Domini one thousand eight hundred and sixty-seven; the vacancies thus occurring shall be filled by the governors of the states, which the said commissioners represented; and the persons thus appointed to fill such vacancies, shall hold their office, as commissioners aforesaid, for the term of three years. In case of the neglect, or failure, of the governor of any state, having burial lots in the cemetery, to fill such vacancy, the board of commissioners may supply the place by appointing a citizen of the particular state, which is not represented in the board by reason of such vacancy; any vacancies not yet filled, or hereafter occurring, in the board of commissioners, by death, resignation, or otherwise, shall be filled, by appointment, for the unexpired term, by the governor of the state, which the person represented, or in case of failure by such governor to make said appointment, then, the place shall be supplied as last above indicated; such other states of the union, not having burial lots in said cemetery, but that may, at any time hereafter, desire to be represented in this corporation, shall have the privilege of nominating a commissioner to represent them severally in the board of commissioners, and thereafter, pay their proportionate share of the expense of maintaining said cemetery.

States, not represented, may hereafter appoint commissioners.

Annual report to be made.

SECTION 6. The board of commissioners shall annually, at the end of each fiscal year, make a report of the condition and management of the cemetery; which report shall contain a detailed statement of the receipts and expenditures of the corporation, and a copy thereof shall be forwarded to the governor of each state represented in the corporation. The expenses incident to the removal of the dead, the enclosing and ornamenting the cemetery, and all the work connected therewith, and its future maintenance, shall be apportioned among the states connecting themselves with the corporation, according to their population, as indicated by their representation in the House of Representatives of the United States.

Copies thereof to be sent to governors.

Expenses to be apportioned among the several states.

By-laws.

SECTION 7. The board of commissioners shall adopt such by-laws, rules, and regulations, as they may deem necessary for their meetings and government, and for the government of their officers, agents, and employees, and for the care and protection of the cemetery grounds, and the property of the corporation: *Provided*, Said by-laws, rules, and regulations, be not inconsistent with the constitution and laws of the United States, the constitution and laws of the commonwealth of Pennsylvania, and this act of incorporation.

Proviso.

Compensation of commissioners, relative to.

SECTION 8. The board of commissioners shall have no power to appropriate any of the funds of the corporation, as a compensation for their services as commissioners.

Grounds and property exempt from taxation.

SECTION 9. The grounds and property of said cemetery shall be forever free from the levy of any state, county, or municipal taxes; and the commonwealth of Pennsylvania hereby releases, and exempts, the corporation created by this act of assembly from the payment of any enrolment tax, or any tax, or taxes, whatever, that might be imposed by existing laws; all the laws of this commonwealth now in force, or which may



hereafter be enacted, for the protection of cemeteries, burial grounds, and places of sepulture, shall apply with full force and effect to the Soldiers' National Cemetery, hereby incorporated, immediately from and after the passage of this act.

Laws for the protection of cemeteries extended to this corporation.

SECTION 10. The corporation of the Soldiers' National Cemetery shall have power to receive appropriations from the United States, and from the state legislatures, and also devises, and bequests, gifts, annuities, and all other kinds of property, real and personal, for the purposes of the burial of the dead, enclosing and ornamenting the grounds, and maintaining the same, and erecting a monument, or monuments, therein.

Authorized to receive appropriations, devises, &c.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 100.

## An Act

For the relief Henry Welsh, a soldier in the State service.

WHEREAS, Henry Welsh, a corporal in the company of Captain John G. Simpson, in the First Artillery regiment of the Reserve Volunteer Corps of Pennsylvania, did enlist in the service of the state on the fifteenth day of June, one thousand eight hundred and sixty-one, and was regularly mustered into the said service by Colonel Biddle, the authorized mustering officer of the state :

Preamble.

*And whereas,* The said Henry Welsh was regularly detailed, under orders, to assist in firing a salute on capitol hill, Harrisburg, on the fourth day of July, one thousand eight hundred and sixty-one, and while so engaged, was so disabled by the premature discharge of a six-pounder, as to require the amputation of both his arms :

*And whereas,* The said Henry Welsh was compelled to leave the hospital at Camp Curtin, on the twentieth day of August, one thousand eight hundred and sixty-two, the said hospital then having passed from the control of the state authorities to those of the United States, and he, the said Henry Welsh, never having been mustered into the service of the United States, was thus required to subsist himself from the said twentieth day of August, one thousand eight hundred and sixty-two.

*And whereas*, The said Henry Welsh never having been discharged from the service of the state, is entitled to monthly pay, from the date of last payment, to such time as a regular discharge may be given him, and to commutation of clothing (less the money value of such articles of clothing he may have drawn in kind) from the date of enlistment to the date of said discharge, as well as to commutation of rations from the twentieth day of August, one thousand eight hundred and sixty-two, to the date of such discharge; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Adjutant general to grant a discharge to Henry Welsh.

That the adjutant general of Pennsylvania be directed to grant a regular discharge, from the military service of the state, to Henry Welsh, a disabled corporal in the company of Captain John G. Simpson, in the First Artillery regiment of the volunteer corps of Pennsylvania.

Military claim board to settle his account.

**SECTION 2.** That the military claim board of this state be directed to adjudicate the claim of said Henry Welsh, if found correct, for monthly pay from the date of his last payment to the date of said discharge, hereby authorized to be granted him; also, his claims for commutation of clothing, from the date of his enlistment to the date of said discharge, as well as for his claim for commutation of rations, from the twentieth of August, one thousand eight hundred and sixty-two, to date of discharge.

To be certified to auditor general.

**SECTION 3.** That said military claim board be directed to certify to the auditor general of the state the amount found to be due said Henry Welsh, agreeably to the provisions of this act, which amount being so certified to him, the auditor general shall draw his warrant upon the state treasurer for the same, to be paid out of any moneys in the treasury not otherwise appropriated.

Payment.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 101.

## A Further Supplement

To an act consolidating the wards of the city of Pittsburg, for educational purposes, approved February ninth, one thousand eight hundred and fifty-five, and the supplement thereto, approved the eighth day of December, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the central board of education, of the city of Pittsburg, shall have power to assess, and levy, upon the school district of the said city, a school tax, which shall not exceed, in any one year, five mills on the dollar, within said city, on all objects, persons, and property, made, or to be made, taxable within the same, for state, or county, purposes. Central board authorized to levy school tax.

SECTION 2. That so much of the supplementary act, approved eighth day of December, one thousand eight hundred and fifty-seven, as limits said central board of education of the city of Pittsburg to the assessment, and levying, of a school tax, not exceeding four mills on the dollar, be and the same is hereby repealed. Repeal of certain provision.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 102.

## A Supplement

To an act to incorporate the Keystone Zinc Company, passed May ninth, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act to incorporate the Keystone Zinc Company," passed May ninth, Anno Domini

one thousand eight hundred and fifty-four, be and the same are hereby extended to the county of Blair.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 103.

## A Further Supplement

To the act incorporating the Donaldson Improvement and Railroad Company, formerly the Eagle Iron Company, approved the fifth day of May, Anno Domini one thousand eight hundred and forty-one.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

The purchasers of the lands and franchises of the Donaldson Improvement Co. authorized to issue certificates of stock to creditors and stockholders.

That the purchasers of the lands, and corporate franchises, of the Donaldson Improvement and Railroad Company, at the late sheriff's sale thereof, in Schuylkill county, be and they are hereby authorized, and empowered, to issue certificates of stock to creditors, and stockholders, in said company, according to their respective proportions of interest in said lands, and corporate franchises, and in such amounts as the parties interested may agree upon; and thereupon, to organize, and form, a company, under the name of the Tremont Coal Company, with all the rights, powers, and privileges heretofore enjoyed by the said, the Donaldson Improvement and Railroad Company, and to make a corporate seal for the same, with the right to alter, and renew, the same at pleasure: *Provided*, That the whole amount of the stock, which shall be issued by said company, shall not exceed the amount which the Donaldson Improvement and Railroad Company is, or has been, authorized to issue.

Organization of the new company.

Limitation as to amount of stock

Management.

Election of directors.

*SECTION 2.* That the affairs of said company shall be managed in conformity to such by-laws as may be adopted by a majority of the stockholders, by a president and six directors, to be chosen annually from the stockholders; the first election shall be held in the city of Philadelphia, within thirty days after the passage of this act, of which election, two weeks' public

notice having been first given, in one paper, published in Pottsville, and in one or more daily papers published in the city of Philadelphia, and the subsequent elections shall be held in the month of February, in each year, at such time, and place, as the president, or directors, may direct, of which elections two weeks' notice shall be given.

SECTION 3. The directors of the Tremont Coal Company may, at any time, upon the written request of the holders of a majority of the stock issued by said company, sell all, or such portions of said lands as they may be so directed, and divide the proceeds thereof, amongst all the stockholders, in proportion to their respective interests, or purchase stock of said company, and cancel the same.

Directors may sell portion of lands, upon consent of a majority of stockholders.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 104.

## An Act

To correct an error in the act, entitled "A further supplement to the act incorporating the Donaldson Improvement and Railroad Company, formerly the Eagle Iron Company," approved the fifth day of May, Anno Domini one thousand eight hundred and forty-one; presented to the Governor, March twenty-third, one thousand eight hundred and sixty-four.

WHEREAS, The said act does not contain a provision for a Preamble.  
bonus to be paid the commonwealth; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Tremont Coal Company shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock thereby authorized, in four equal, annual instalments.

Bonus to be paid into the state treasury.

SECTION 2. That the notice for the first election for directors, required by the second section of said act, is hereby changed

Notice of first election of directors, relative to.

to six daily consecutive publications, in one daily paper, published in the city of Philadelphia.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 105.

## An Act

To authorize the burgess and town council of the borough of Pittston, to levy, and collect, a tax to pay bounties to volunteers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Authorized to  
pay bounty.

That the burgess and town council, of the borough of Pittston, or a majority of them, may, from time to time, during the continuation of the present war, or rebellion, pay to persons who may, or will volunteer into the military service of the United States, under any call of the President thereof, who shall be accredited to the quota of the said borough, a bounty, of such sum, or sums, as they, or a majority of them, shall deem proper, not to exceed three hundred dollars, to each volunteer.

To issue bonds.

SECTION 2. The burgess and town council, or a majority of them, shall issue bonds, or certificates of indebtedness, bearing interest, not to exceed seven per centum per annum, payable to bearer, at such time, or times, as they, or a majority of them, shall see fit, none of which shall be payable in less than six months, or more than ten years, from the date thereof; said bonds, or certificates, to be in such sums as the burgess and town council, or a majority of them, shall deem proper, which bonds, or certificates of indebtedness, may be paid to such volunteer, or disposed of by the burgess and town council, at their par value, to raise a fund out of which to pay such volunteer, the bounty aforesaid: *Provided*, That the whole amount of said bonds, or certificates of indebtedness, shall not exceed eighty thousand dollars.

Limitation.

Tax to be levied.

SECTION 3. The burgess and town council, or a majority of them, shall levy a tax annually, upon all assessed taxable property in said borough, not to exceed twenty mills upon the dollar, in one year, and a tax of not less than five, or more

than ten dollars, on each male adult resident in said borough; said tax shall be called the bounty tax, and shall be applied to the payment of said bonds, or certificates of indebtedness; interest on said bonds, or certificates of indebtedness, shall be paid annually.

SECTION 4. The said tax shall be levied on the same assessment, and adjusted valuation, for said borough, as the state and county tax is. Assessment.

SECTION 5. The burgess and town council, or a majority of them, shall appoint a collector, and the said burgess shall issue his warrant to the said collector, to collect the said tax, who shall give to the said borough his bond, in double the amount of the duplicate, with good, and sufficient, sureties, to be approved of by the said burgess and town council, or a majority of them, who shall also appoint a treasurer, and approve of his sureties, in like manner as the collector. Collector and treasurer to be appointed.

SECTION 6. Said tax shall be collected within six months from the time the duplicate shall go into the hands of the collector; and for the enforcement of the collection of the said tax, the collector shall be governed by the existing laws for the collection of state and county taxes. Collection, relative to.

SECTION 7. The same powers, conferred upon the burgess and town council of Pittston borough, are hereby extended to the school directors of the townships of Pittston, Jenkins, Hanover, and Wilkesbarre township. The same powers extended to the school directors of certain townships.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No 106.

## A Further Supplement

To an act to incorporate the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all that certain part of what is now known as the First ward of the city of Philadelphia, included, and contained, within the following boundaries, shall hereafter constitute, and form the First ward of said city, to wit: beginning at a point Boundaries of the first ward changed.

on the Passyunk road, where it intersects Wharton street; thence along the south side of the said Wharton street to the river Delaware; thence along the river Delaware to League island; thence along the southern boundary of said island, so as to include the whole of the same; thence along the back channel to Broad street; thence along the east side of said Broad street to Passyunk road; thence along said Passyunk road to the place of beginning.

New ward  
formed, to be  
called the  
Twenty-sixth.

SECTION 2. All the remaining portions of what is now known as the First ward, and not embraced in the above described boundaries, shall hereafter constitute, and form, a new ward, and shall be known as the Twenty-sixth ward of the city of Philadelphia.

Representation  
of each, in select  
and common  
councils, rela-  
tive to.

SECTION 3. Each of the above wards shall be entitled to one member of the select council, and also to two members of the common councils of said city; at the next annual election, the qualified voters of the said First ward, shall elect one member of select council, to serve for three years, from the first day of January, one thousand eight hundred and sixty-five, and the term of the present select councilman, of the First ward, shall expire on the first day of January, one thousand eight hundred and sixty-five, and one member of common council, who shall serve for two years, from the first day of January, next ensuing his election, and shall thereafter elect members of councils, as is now, or may hereafter be, provided by law. The qualified voters of the Twenty-sixth ward, shall, at the next annual election, elect one member of select council, who shall serve for three years, and, also, one member of common council, who shall serve for two years, from the first day of January, next ensuing his election, and shall thereafter elect members of councils, as is now, or may hereafter be, provided by law.

Common coun-  
cilmen elected  
to continue un-  
til expiration of  
terms.

SECTION 4. The members of common council, now residing within the boundaries of the above created First ward, and the members of the common council, now residing within the boundaries of the above created Twenty-sixth ward, shall continue to represent their respective wards, in said councils, until the time, for which they were elected, shall have expired.

Aldermen and  
constables.

SECTION 5. Each of the above wards shall be entitled to two aldermen, and, also, to two constables, and at the next annual election, the qualified voters of each of said wards, shall elect one person to serve as alderman, and one person to serve as constable, of their respective wards, and the alderman, and constable, at present acting, in said wards, shall continue to act as such until the time, for which they were elected, shall have expired; all vacancies in the office of alderman, and constable, shall be supplied as is now, or may hereafter be, provided by law.

Vacancies in  
school boards.

SECTION 6. The qualified voters of the said wards, shall, at the next election, elect school directors, to fill any vacancies in the several boards of school directors, of said wards, caused by the passage of this act: *Provided*, That the persons elected as school directors for the old First ward, shall continue to act as school directors of the new wards, until their term of office shall have expired.

Proviso.



SECTION 7. The assessors, residing within the bounds of the above wards, shall continue to act as assessors, for the wards, in which they may respectively reside, until the term, for which they were elected, shall have expired; after which, the assessors, for said wards, shall be elected as is now, or may hereafter be, provided by law. Assessors.

SECTION 8. Immediately upon the passage of this act, it shall be the duty of the city commissioners, and they are hereby required, to divide each of the above wards into not less than eight precincts, and fix the places of holding the elections therein. City commissioners to divide both ward into precincts

SECTION 9. The officers now elected to conduct the elections, in the now First ward, shall appoint election officers to conduct the elections in the precincts, to be founded in the First and Twenty-sixth wards, until the next election, when election officers shall be elected as is now provided for by law. Election officers

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred sixty-four.

A. G. CURTIN.

No. 107.

## An Act

For the relief of La Salle College, Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized, and directed, to refund and pay over to the corporators of La Salle College, an institution of learning, chartered at the last session of the general assembly, or their duly authorized agent, the fifty dollars enrolment tax, improperly and unlawfully exacted on the act of assembly chartering the said college.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

We do hereby certify, that the bill, No. 154, entitled "An Act for the relief of La Salle College, Philadelphia," was

presented to the governor on the sixteenth day of March, Anno Domini one thousand eight hundred and sixty-four, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, March 29, 1864.

No. 108.

## An Act

To incorporate the Cold Spring Ice and Coal Company of the city of Philadelphia.

Corporators.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Thomas E. Cahill, Morris Haeker, H. B. Ashmead, John J. Heisler, Jesse M. Cook, Charles S. Wilson, James Allison, John Goodyear, Christian Pretz, Solomon Boyer, Henry Thomas, Michael Quin, John J. Bannan, Charles G. Bockenkamp, or a majority of them, be and they are hereby constituted, and appointed, commissioners, to open books, receive subscriptions, and organize a company, by the name, style, and title, of the Cold Spring Ice and Coal Company, to carry on the whole-sale, and retail, ice and coal business.
Title.	
Capital stock.	SECTION 2. That the capital stock of said company shall consist of four thousand shares, of twenty-five dollars each : <i>Provided</i> , That the said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase the capital stock, if it should be deemed necessary, to an amount not exceeding ten thousand shares ; the said company shall have the power of borrowing any sum, not exceeding in amount the one-half of their capital stock, at the time the said loan may be made, at a rate of interest, not exceeding seven per centum per annum, and to secure the payment of the same, by a bond, and mortgage, of the real, and personal, estate of the said company, together with the corporate rights, and franchises, granted by this act, and to annex to the said bond, and mortgage, the privilege of converting the same into the capital stock of the said company, at par, at the option of the holders, if they shall signify their election, one year before their maturity : <i>Provided also</i> , That the said company shall
Authorized to borrow money, and secure the same by bond, and mortgage.	
Limitation.	

issue no certificate of loan, of a less denomination than one hundred dollars.

SECTION 3. That dividends of so much of the profits of said company, as shall appear advisable to the directors, shall be declared in the month of April, in each and every year, and be paid at the office of said company, at any time after ten days from the declaring of the same ; but said dividends shall, at no time, exceed the amount of the net profits of the said company, so that their capital stock shall not be impaired thereby ; and if said directors shall make any dividend, impairing the capital stock of the said company, the directors consenting thereto shall be liable, in their individual capacities, to said company, for the amount so divided, and each director present, when such dividend shall be declared, shall be considered as consenting thereto, unless he, or they, enter a protest upon the minutes of the board, and give public notice of the same. Dividends, relative to.

SECTION 4. That the said company shall make and have a common seal, and have the power the same to alter, and renew, at pleasure, and also to ordain, and establish, and put in execution, such by-laws, ordinances, and regulations, as shall appear necessary, or convenient, for the government of said corporation, and not being contrary to the constitution, and laws, of the United States, or of this commonwealth, and generally to do all, and singular, the matters, and things, which to them it shall lawfully appertain to do, for the well being of said corporation, and the due ordering, and managing, of the affairs thereof. Seal.  
By-laws.

SECTION 5. The said company shall sue, and be sued, by the corporate name, and have the privilege of purchasing, conveying, or holding, such real, and personal, estate, as may be deemed requisite, or convenient, for the carrying on of their business aforesaid. Privileges.

SECTION 6. That said company shall have power to elect, or appoint, a president, and six directors, (a majority of whom, with the president, shall be citizens of Philadelphia,) and such other officers as may be deemed necessary, or expedient, by the stockholders ; and in every election, each share of stock shall entitle the holder to one vote. Directors and officers.  
Votes.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

We do hereby certify, that bill, No. 222, entitled " An Act to incorporate the Cold Spring Ice and Coal Company, of the city of Philadelphia," was presented to the governor, on the fifteenth day of March, Anno Domini one thousand eight hundred and sixty-four, and was not returned within ten days (Sundays excepted) after it had been presented to him ; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, *March 30, 1864.*

No. 109.

## A Supplement

To an act to incorporate the Susquehanna Boom Company, passed the twenty-sixth day of March, one thousand eight hundred and forty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall, and may, be lawful for the said Susquehanna Boom Company to deliver the lumber, which may have been received in their said booms, to the owners thereof, and to collect toll or boomage from such owners, to wit: fifty cents per thousand feet, board measure for boards, logs, and a reasonable sum for finding warp, rafting, and booming, and all square timber, and other lumber, in proportion to board logs, as debts of like amount are recoverable.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

We do certify, that the bill, No. 442, entitled "A supplement to an act to incorporate the Susquehanna Boom Company, passed the twenty-sixth day of March, one thousand eight hundred and forty-six," was presented to the governor on the tenth of March, one thousand eight hundred and sixty-four, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, *March 30, 1864.*

No. 110.

## An Act

To incorporate the Merchants' Hotel Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Caleb Cope, George T. Chambers, William Ford, John Grigg and John Stokes, the surviving trustees of the Merchants' Hotel Company, of the city of Philadelphia, and their successors, and such persons as shall be holders, from time to time, of the stock hereinafter mentioned, shall be, and they are hereby declared, to be constituted a body politic or corporate, by the name, or style, of the Merchants' Hotel Company, and by that name, shall have perpetual succession, be capable, in law, of suing and being sued, have a common seal, and the same alter, and renew, at pleasure, and have, hold, receive, purchase, and take personal and real estate, in the city of Philadelphia aforesaid, proper for the maintenance, continuance and enlargement of the Merchants' hotel, in the said city, with such supplementary buildings as shall, or may be, adapted to, and form part of, the general plan thereof, for the accommodation, and use, of such persons as may be desirous of renting and occupying the same, and such personal, and real estate again to lease, mortgage, or sell, from time to time; and that it shall and may be lawful for the said Caleb Cope, George T. Chambers, William Ford, John Grigg, and John Stokes, surviving trustees as aforesaid, by some good and sufficient assurances in the law, to convey and assign unto the said, the Merchants' Hotel Company, hereby incorporated, for the purposes aforesaid, all and singular, the real and personal estate, now held by them, in trust for the said present Merchants' Hotel Company: *Provided*, That the said, the Merchants' Hotel Company, shall not themselves engage in the business of hotel keeping, nor shall knowingly permit any intoxication, or gaming, in the said hotel.

Corporators.

Style.

Powers and privileges.

Proviso.

SECTION 2. That the capital, or common, stock of the said corporation, shall consist of one thousand shares, of one hundred dollars each, which shall belong to, and be divided between, the present shareholders of the Merchants' Hotel Company aforesaid, in proportion to the number of shares therein now held by them respectively.

Capital stock.

SECTION 3. That the said corporation shall have power, in such manner, and at such time, as shall be determined at any general, or special, meeting of the stockholders, to create and issue additional, or preferred, stock, not exceeding, in nominal amount, the sum of one hundred thousand dollars, to be divided into shares of one hundred dollars each, on which, shall be divided and paid, from time to time, out of the net earnings, or profits, of the corporation, if any there be, a sum equal, at least, to six per cent. per annum, on the par value of such preferred stock, before any dividend of such net earnings, or profits, shall be made, for the same period, on the original, or common, stock.

Additional, or preferred, stock may be issued.

Limitation.

Dividends.

SECTION 4. That the shares of stock, in the said corporation, whether original, or preferred, shall be held as personal estate, and shall be transferable, under such regulations as shall be established by the by-laws.

Shares of stock transferable.

SECTION 5. That the business and affairs, of the said corporation, shall be transacted by a board of nine trustees, to be elected, as hereinafter provided, and hold their offices until their successors shall be elected, of whom five shall be a quo-

Board of trustees.

- Vacancies.** rum, and who shall have power to fill vacancies in their own number, however occasioned, and to appoint a president, secretary, treasurer, and such other officers as may be designated by the by-laws; and that, until such election shall be held, as hereinafter provided, the persons, named in the first section of this act, shall be held to be trustees of the said corporation, and to have full power and authority as such.
- Officers.**
- Election of trustees.** SECTION 6. That a general meeting of the stockholders, of the said corporation, shall be held, in the city of Philadelphia, on the first Monday of April, in each and every year, at such place and time, and after such notice as shall be determined by the trustees aforesaid, or the by-laws, for the election of trustees, and the transaction of other business; but if such meeting, or election, shall not then take place, another general meeting, for such purposes, shall be held, as soon as may be, one week's public notice thereof being first given, by advertisement, in, at least, three daily newspapers, published in the city of Philadelphia, and that special meetings of the stockholders may be called, at any time, by the president, after such notice as shall be prescribed by the by-laws.
- Notice.**
- Special meetings.**
- Votes.** SECTION 7. That in the election of trustees, the enactment of by-laws, and the decision of all questions whatsoever, at the general and special meetings of the stockholders, the stockholders present, in person, or by proxy, shall be entitled to one vote for each share of stock, held by them respectively, and the majority of the votes, so cast, shall be binding and conclusive, in all cases, unless otherwise provided by the by-laws.
- Debts heretofore contracted, relative to.** SECTION 8. That nothing, herein contained, shall be construed to relieve the said trustees of the Merchants' Hotel Company, or the stockholders, or property, thereof, from liability for any debts heretofore lawfully contracted.
- Reservation.** SECTION 9. That the legislature hereby reserves the right to revoke, or annul, the privileges hereby granted, whenever, in their opinion, they may be injurious to the citizens of the commonwealth; in such manner, however, that no injustice be done to the corporators.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 111.

*An Act*

To legalize the action of Samuel Small, guardian of the children of William Coleman, deceased.

WHEREAS, Certain of the proprietors of the Cornwall ore banks, and mine hills, in Lebanon county, have entered into an agreement for working the same jointly, and the agreement has been executed, on the part of Robert H., and Ann C., Coleman, two of the proprietors, by their guardian, and doubts may arise whether the agreement will bind them, and their estates, after they shall attain full age; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the action of the said guardian, in the premises, shall be deemed, and taken, to have been fully authorized, and the agreement as fully binding upon the said minors, as if they had personally executed the same, after attaining full age.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 112.

*An Act*

To authorize David Small to assign, and pay over, certain trust property.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Small, trustee of certain moneys, and securities, the proceeds of a certain bond, assigned for the use of Catharine L. Moore, by her husband, J. C. E. Moore, both of the borough, and county, of York, is hereby authorized, and empowered, to assign, and pay over, to the said Catharine L.

## LAWS OF PENNSYLVANIA,

Moore, and vest, absolutely, in her, all moneys, and securities, remaining in the hands of said trustees, after filing his account, which shall be approved by the court of common pleas of York county: *Provided*, That the said Catharine L. Moore, shall jointly, with her husband, J. C. E. Moore, execute a proper release to the said David Small.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 113.

## An Act

To change the name of the Northampton Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name and title of the "Northampton Iron Company" be and the same is hereby changed, and said corporation shall hereafter be known, and called, by the name, and title, of the Glendon Iron Company.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 114.

**An Act**

To incorporate the "Chestnut Hill House."

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Isaac Thayer, William Miller, Robert H. Gratz, Joshua Comley, Charles C. Bombaugh, J. C. Gilbert, Samuel B. Eastburn, Cephas G. Childs, John Stallman, Mathias Haas, Reuben Sands, Samuel H. Austin, Jonathan Livezy, Jesse Roberts, David Webster, C. E. Idell, William L. Hirst, and their associates, and successors, be and they are hereby declared to be a body corporate, and politic, in fact and in law, by the name of the "Chestnut Hill House," and, by that name, shall have perpetual succession. They shall have power to lease, purchase, and hold, real and personal estate, in the Twenty-second ward of the city of Philadelphia, and to erect a suitable building, and improvements, on any part of said real estate, with all needful furniture for the accommodation of families, and individual boarders, and to furnish the same, and to transact all such business as may be incident, or appertaining, to the erecting, managing, leasing, furnishing, or conducting, said premises, or otherwise disposing of the same, to be capable in law of suing, and being sued, to have a common seal, and the same to alter, and renew, at pleasure.

Corporators.

Name.

Privileges.

**SECTION 2.** Said corporation shall have a capital stock of one hundred thousand dollars, which shall be divided into shares of two hundred and fifty dollars each, which shall be transferable, in such manner as the by-laws of said corporation may direct; and each share, of the said capital stock, shall entitle the owner thereof to one vote, at all meetings of the stockholders, which may be given either by proxy, or in person; and shall have the privilege to borrow half the amount of their capital, upon bonds.

Capital stock.

Votes.

May borrow money.

**SECTION 3.** The directors shall be elected from the stockholders, in such manner as the by-laws of said corporation may prescribe, and shall not be less than five in number, and shall, with all other officers of said corporation, hold their offices until others are elected and duly qualified.

Election of directors.

**SECTION 4.** The directors shall, annually, in the month of January of each year, submit to the stockholders, of said corporation, a written statement of the affairs of the same, verified by the affidavit of the acting president; and no dividend shall be paid to the stockholders, except from a clear surplus in hand, after the payment of all debts and liabilities of said corporation.

Annual statements to be made.

Dividends.

**SECTION 5.** That when one hundred shares of stock shall have been subscribed, and five dollars per share paid in cash, patent to issue.

When letters patent to issue.

Subscriptions  
to capital stock.

they shall be privileged to organize their company, and procure letters patent; and a majority of the corporators are hereby constituted commissioners, with power to open the books, and take subscriptions, for the said capital stock, in such manner as they may deem expedient, at such time and place as they may designate, by notice published for, at least, one week previous thereto, in one of the newspapers of the city of Philadelphia.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 115.

## An Act

To incorporate the Coastwise Steamship Company.

Corporators.

Title.

Powers and  
privileges.

Prohibition.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That Edward C. Knight, John T. Taitt, William R. Sherborn, James B. Andrews, Richard E. Clay, Andrew C. Craig, and their associates, and successors, be and they are hereby incorporated into a body corporate, and politic, by the name, style, and title, of the "Coastwise Steamship Company," and by the said name, style, and title, the company shall have perpetual succession, and be able, and capable, in law, to sue, and be sued, plead, and be impleaded, to have a common seal, and to receive, possess, employ, and dispose of, ships, and vessels, with their appurtenances, and the steam engines, and other machinery, necessary, and proper, for the propulsion, and navigation, thereof, by the use of steam, and to hold all, and use, the necessary easements for loading, and unloading, receiving, and delivering, merchandize, transported, or to be transported, in said ships, or vessels, so to be customarily navigated by them; and further, to have all such rights, and powers, as are, or may be, incident to a corporation, having for its object, the transportation of goods, wares, merchandize, and the transportation of mails, and passengers, by the means of steam navigation, to, and from, the city of Philadelphia: *Provided*, That nothing, herein contained, shall be construed, to confer, on the said corporation, any banking, or mining privileges,

or hold real estate, excepting such as may be deemed necessary to accommodate the company's vessels, and business, or such as may be conveyed to said corporation, for, or in, the payment of debt.

SECTION 2. That the persons, named in the first section of this act, shall be directors of the said corporation, until their successors are chosen by the stockholders, with power to choose from amongst their number, a president; an election for seven directors shall be held on the first Wednesday of May, Anno Domini one thousand eight hundred and sixty-four, and annually, thereafter, of which elections public notice shall be given, of the time, and place; but no failure to elect directors, at the time named, shall work as a non-user, but those in office shall continue therein, until others are duly chosen.

Corporators to  
act as directors  
until election.

Time of election

SECTION 3. That the capital stock of said company shall be divided into shares of five hundred dollars each, and shall

Capital stock.

consist of four hundred shares, with the privilege of increasing the same to one thousand; and the persons holding said stock shall be entitled to one vote for each share of stock held by them, and may vote either in person or by proxy; the

Votes.

shares of the stock, aforesaid, may be transferred by the owner, or owners, thereof, their executors, or administrators, or attorney, duly, and lawfully, authorized, in a book to be provided for that purpose, and in such manner as the directors shall direct.

Shares of stock  
transferable.

SECTION 4. That dividends of the profits of the said Coast-wise Steamship Company, as shall appear advisable to the directors, shall be declared, and paid, to the stockholders, at least once in each year, but they shall in no case, exceed the amount of the net profits actually made, and acquired, after deducting all losses, and expenses; and if the directors shall declare, and pay, any dividend, by which the capital stock of the company shall be impaired, they shall be jointly, and severally, liable for so much of the capital stock as may be thus impaired, and divided, which shall be recoverable by any party aggrieved, or injured, in an action, recoverable for debt as in other cases.

Dividends.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 116.

## Supplement

To an act to incorporate the Frankford and Holmesburg Railroad Company, approved July eighteenth, one thousand eight hundred and sixty-three.

Authorized to  
borrow money.

Bonds and  
mortgage.

Proviso.

May extend  
their road.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the said Frankford and Holmesburg Railroad Company shall have power to borrow money, in any sum, or sums, not exceeding fifty thousand dollars, at a rate of interest, not exceeding seven per centum per annum, and for the purpose of securing the re-payment of the same, and the interest thereon, to issue bonds; the principal sum shall be made payable at such time as the directors may deem advisable, and the said bonds shall be further secured by a mortgage of, and on, the said railroad, and the corporate rights, and franchises, granted by the act to which this is a supplement: *Provided*, That no bonds shall be issued for a sum less than fifty dollars, and that the said company shall have the right to create a sinking fund for the redemption of said bonds.

*SECTION 2.* That said railroad company shall have the right to extend their road, to connect with any city passenger railroad, leading from the city of Philadelphia, in the direction of Holmesburg.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 117.

## An Act

To incorporate Emory Female College.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the literary institution, heretofore established, and conducted, by the individual effort and enterprise of Robert D. Chambers, in the borough of Carlisle, in the county of Cumberland, and state aforesaid, by the name of the Emory Female College, shall be hereafter known by the name, style, and title, of the Emory Female College, of Carlisle, Pennsylvania. Corporate name

SECTION 2. That the board of curators, of said college, hereinafter named, consisting of not more than thirty, nor less than twelve, persons, shall be and they are hereby, constituted, and created, a body politic, and corporate, in law and in fact, under the name, style, and title, of the board of curators of the Emory Female College, of Carlisle, Pennsylvania, and, as such, they shall be and are hereby invested with all the powers, and privileges, of a corporation, for the permanent establishment of said college, to promote the moral, and literary, education of females; they may have a corporate seal, may receive, and hold, in trust, for the said college, by purchase, devise, bequest, or gift, any property, or estate, real, personal, or mixed: *Provided*, The yearly income of said estate shall not exceed two thousand dollars; there shall be a stated annual meeting of the board, at each annual commencement, and the president of the board may call a special meeting, whenever, in his judgment, the interests of the institution require it; five members of the board shall constitute a quorum, and the president of the college shall be, ex-officio, president of the board. Board of curators made corporators.  
Privileges.  
Objects.  
Annual income.  
Meeting of board.  
Quorum.

SECTION 3. That Robert D. Chambers, aforesaid, be and he is hereby constituted, and appointed, president of the college aforesaid, and Samuel D. Hillman, John P. Rhoads, Robert Moore, James Hoffer, George D. Chenoweth, Joseph A. Ross, Robert Turner, John D. Gorgas, Robert Parkinson, Samuel Hindes, Aquila A. Reese, and Nathaniel Hantch, be and they are hereby constituted a board of curators, of the said Female college, with power to fill all vacancies, in their own body, to appoint such officers, for their own body, and establish such by-laws, as they may deem expedient, and to exercise a general supervision over the interests of said college, its management, and government. President.  
Board of curators.  
Vacancies.  
By-laws.

SECTION 4. That there shall be a faculty of said college, to be composed of the president of the college, aforesaid, and the professors and teachers it may be deemed expedient to employ; the board of curators shall appoint the members of the faculty, with the consent of the president; the faculty shall have the care, government, and instruction, of the students, and, with the advice and consent of the board of curators, may confer degrees, and grant diplomas. Faculty.  
May confer degrees, &c.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 118.

## An Act

To extend the time of paying the enrolment tax, on an act to incorporate the village of Linesville, county of Crawford, into a borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time of the payment of the enrolment tax, on an act, entitled "An Act to incorporate the village of Linesville, county of Crawford, into a borough," approved March twenty-second, one thousand eight hundred and sixty-two, be and the same is hereby extended to September first, one thousand eight hundred and sixty-four.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 119.

## An Act

Relative to the taxing of dogs in the township of Lower Oxford, in the county of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of assembly, approved the fourteenth day of April, Anno Domini one thousand eight hundred and forty-six, laying a tax on dogs in the borough of West Chester, and certain townships, in the county of Chester, be extended to embrace the township of Lower Oxford, in said county; and that all laws, or parts of laws, inconsistent with the provisions of said act, approved April fourteenth, one thousand eight hundred and forty-six, be and the same are hereby repealed,

so far as the same relates to the said township of Lower Oxford.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 120.

## A Further Supplement

To an act incorporating the Huntingdon and Broad Top Mountain Railroad and Coal Company, approved the fifth of April, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That, hereafter, the annual meeting of the stockholders of the Huntingdon and Broad Top Mountain Railroad and Coal Company, for the election of president and directors, shall be held on the first Tuesday of February, in each year, instead of the second Tuesday of January, as heretofore; and the term of the several directors, and officers, elected at the last annual meeting, shall be extended, and continue, until the first Tuesday of February next.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 121.

## An Act

To pay Lewis Culp, of Dauphin county, a pension.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized, and required, to pay to Lewis Culp, of Dauphin county, a soldier in the war of one thousand eight hundred and twelve, an annuity of forty dollars, during life, commencing the twenty-fifth day of January, Anno Domini one thousand eight hundred and sixty-four.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 122.

## An Act

To change the times of holding the courts in the Third Judicial District.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from, and after, the first day of June next, the several courts, in the Third judicial district, shall be as follows, viz : The courts, in the county of Lehigh, shall commence on the first Monday of January, the first Monday of April, the second Monday after the fourth Monday of August, and the last Monday of October, to continue two weeks ; and the courts in the county of Northampton, shall commence on the third Monday of January, the fourth Monday of April, the third Monday of



August, and the third Monday of November, to continue two weeks.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 123.

## An Act

To change the name of a certain street in Pitt township, Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the street, now known, and called, Middle street, located in Pitt township, Allegheny county, be hereafter known, and designated, by the name of Madison street.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 124.

## A Further Supplement

To an act authorizing the Governor to incorporate the West Chester and Wilmington Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the time limited, for the completion of the said company's road, be and is hereby extended for the term of ten years.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 125.

## An Act

To authorize the appointment of a Notary Public in Mill Creek township, Erie county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor of the commonwealth is hereby authorized to appoint a notary public, a resident of the township of Mill Creek, in the county of Erie.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 126.

## An Act

To prevent the destruction of Trout in the counties of Lycoming and Clinton.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

That from, and after, the passage of this act, it shall not be lawful for any person, or persons, to take, catch, or kill, any trout, in any of the streams, or ponds, of water, in the counties of Lycoming and Clinton, by means of spears, gigs, baskets, seines, nets, or snares, or trap, of any kind whatever, or by means of lime, or other poisonous substance : *Provided*, That it shall be lawful for any person, or persons, to take, catch, or kill, any trout, in any of the said streams, or ponds, of water, by angling, between the first day of April and the fifteenth day of September, in each year, and at no other period, and in no other way.

Catching, or killing, trout, in certain counties, prohibited.

Proviso.

SECTION 2. That any person, or persons, violating the provisions of this act, shall forfeit, and pay, the sum of five dollars, for every offence, to be recovered before a justice of the peace, by an action of debt, in the name of the commonwealth ; said sum, of five dollars, to be for the use of the overseers of the poor, of the township, in which the offence shall have been committed, and the informer shall be a competent witness.

Penalty.

SECTION 3. Upon any suit, commenced under this act, possession of trout, between the fifteenth day of September and the first of April, following, in each and every year, shall, in the absence of better evidence, be sufficient to warrant judgment, under the provisions of this act.

Possession of trout to be evidence.

SECTION 4. That any act, or parts of acts, inconsistent herewith, be and are hereby repealed.

Repeal.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 127.

## A Supplement

To an act to enable the Commissioners of Clinton county to borrow money, and for other purposes, approved the twenty-second day of April, one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time, within which the conveyance of a suitable lot, or piece of ground, may be made, to the commissioners of the

## LAWS OF PENNSYLVANIA,

county of Clinton, according to the provisions of, and for the purpose mentioned in, the first section of the act, to which this is a supplement, be and the same is hereby extended, for the period of one year, from the date hereof, and, upon such conveyance being so made, within said period, all the other provisions, powers, and directions, of the said act, to which this is a supplement, shall be, and remain, in full force and effect.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 128.

## An Act

To prohibit the taking or killing of Pickerel in Lathrop's lakes, in Dimock township, Susquehanna county.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Catching or killing pickerel, within certain time, prohibited.

That it shall not be lawful for any person, or persons, to catch, take, or kill, any pickerel, in the two ponds known as Lathrop's lakes, in Dimock township, Susquehanna county, between the first day of October, and the first day of April, in each year.

Penalty.

*SECTION 2.* That any person, offending against the provisions of this act, shall, on conviction thereof, pay a fine of ten dollars, with costs of suit, for the first offence, and fifty dollars, with like costs, for each, and every, subsequent offence, to be recovered by suit, in the name of the commonwealth, before any justice of the peace having jurisdiction over the place where such offence shall have been committed; the whole of said fine, or judgment, to be for the use of the school fund of said Dimock township.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 129.

*An Act*

To authorize the election of four supervisors, in the township of Wharton,  
county of Fayette.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from, and after, the passage of this act, it shall be lawful for the qualified voters, of the township of Wharton, in the county of Fayette, to elect four supervisors, for said township, instead of two, as heretofore.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 130.

*An Act*

Organizing a company to construct a turnpike road from the Oxford plank road, over the road known as the Milltown road, to Milltown, in the Twenty-third ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George Megee, Joseph Hallowell, Isaac Gilham, Harvey Commissioners. Hellerman, Reuben Myers, Jonas Damenthower, R. P. Lardner, Josiah Kerper, Edward Waln, John Cook, Thomas Rowland, senior, Thomas Rowland, junior, James Hellerman, Thomas Woodfall, Jacob S. Knorr, and Jacob Peters, or any five of them, be and they are hereby appointed commissioners, to open books, and receive subscriptions, and organize a company, by the style, and title, of the Milltown Turnpike Road Title. Company, with power to construct a turnpike road, partly of gravel, and partly of stone, or all of either, commencing at the junction of the Oxford plank road and the Milltown road,

Route. in the Twenty-third ward, of the city of Philadelphia; thence along said Milltown road to Milltown, subject to all the provisions, and restrictions, of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplement thereto.

Capital stock. SECTION 2. That the capital stock, of said company, shall consist of one thousand shares, of five dollars each: *Provided*, That the said company may, from time to time, by a vote of the stockholders, or a majority of them, at a meeting called for that purpose, increase its capital stock to such an amount, as they may deem necessary, to carry out the true meaning, and intent, of this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 131.

## An Act

To extend the jurisdiction of Justices of the Peace to certain criminal proceedings, in the counties of Lehigh, Mercer, and Northampton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the provisions of the act, approved the first day of May, in the year of our Lord, one thousand eight hundred and sixty-one, entitled "An Act to change the mode of criminal proceedings in the counties of Erie, Union, Venango, and Crawford," with its several supplements, be and the same are hereby extended to the counties of Lehigh, Mercer, and Northampton.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 132.

*A Further Supplement*

To an act to extend Fifteenth and Green streets, in the city of Philadelphia, approved the eleventh day of April, one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the commissioners appointed by the court of common pleas, May fifth, one thousand eight hundred and sixty-two, to lay out Green street, from Carpenter to Park street, in the Twenty-second ward, are hereby authorized to proceed to view, and lay out, Green street, in the Twenty-second ward, from Park street to Cottage street, in said ward; said extension to be made, and damages to be assessed, and paid, as is provided by existing laws; and said Green street, from Park street to Cottage avenue, to be put in good traveling order, by the highway department, immediately upon the confirmation of the report of said commissioners; and said commissioners are hereby authorized to employ a competent surveyor, at an expense, not exceeding fifty dollars; and said commissioners shall each receive, for their services, five dollars per day, warrants for same to be drawn by city commissioners, on the city treasurer.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN

No. 133

*An Act*

To regulate the killing of wild ducks on the Susquehanna river, and to prevent their destruction.

WHEREAS, The practice of constantly shooting wild ducks, on the Susquehanna river, and its tributaries, prevents them

from harboring, and tends to drive them off altogether m  
said river; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from, and after, the passage of this act, it shall not be lawful for any person, or persons, to shoot, or otherwise kill, in any of the counties bordering upon the Susquehanna river, or upon any creek, or river, emptying into the same, any wild ducks, on Tuesday, Thursday, and Friday, of each week, nor at any time, between the first day of April and the first day of September, inclusive; and any person, or persons, offending against any of the provisions of this act, shall forfeit a penalty of five dollars, for each, and every, offence, with all costs, or charges; the same to be recovered before any justice of the peace, in the county where the offence was committed, as debts, of like amount are, by law, recoverable, the one-half of said fine to the use of the informer, who is, hereby, made a competent witness, and the other half to the directors of the poor, in the county, in which such offence was committed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 134.

## A Supplement

To an act to incorporate the trustees of the Wagner Free Institute of Science, approved the ninth day of March, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, passed March the ninth, one thousand eight hundred and fifty-five, entitled "An Act to incorporate the Wagner Free Institute of Science," is hereby amended, so that the same shall read as follows:

SECTION 2. William Wagner, of the city of Philadelphia, is hereby authorized to convey, to the body corporate hereby created, all that certain lot, or piece of ground, with the build-

Original act of  
incorporation  
to be amended.



ings, and improvements, thereon erected, situate at the south-west corner of Montgomery street, and Seventeenth street, in the Twentieth ward of the said city of Philadelphia, containing, in front, or breadth, on the said Montgomery street, one hundred and seventy-seven feet, ten inches, and extending, of that width, in length, or depth, southward, two hundred and twenty-five feet; bounded, northward, by the said Montgomery street, eastward by the said Seventeenth street, southward, by ground, now, or late, of Samuel Elliot Harlan, and westward by a certain forty feet wide street, called Institute street, (the north-eastermost, and greater, part of which said, above described, premises, being part of a larger tract of land, which Charlotte Binney, by indenture, endorsed, bearing date the twentieth day of March, Anno Domini one thousand eight hundred and fifty-four, recorded in the office for recording deeds, &c., in, and for, the city, and county, of Philadelphia, in deed book L R B, number ten, page , &c., granted, and conveyed, unto the said William Wagner, in fee; and the south-westermost, and remaining, part of which said above described premises, Samuel Elliot Harlan, by indenture, bearing date the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-six, recorded in the aforesaid office, in deed book L R B, number ten, page , &c., granted, and conveyed, *inter alia*, unto the said William Wagner, in fee, together with all the cabinets, cases, and drawers, of natural history, philosophical instruments, specimens of geology, mineralogy, botany, anatomy, chemical apparatus, *materia medica* chemicals applied to the arts, and the entire conchological cabinet, with all the drawings, illustrations, paintings, engravings, maps, diagrams, library, statuary, and fixtures of every kind, and description, whatsoever, fixed, or unfixed, lying, being, or existing, on the said, hereby granted, premises, and together, also, with all, and singular, other, the buildings, improvements, ways, streets, alleys, passages, waters, water courses, rights, liberties, privileges, hereditaments, and appurtenances, whatsoever, thereunto belonging, or in any wise appertaining, for the purpose of founding, and establishing, a public institution, in the said city, for the advancement of science, art, philosophy, and letters, for procuring, and maintaining, scientific, and historical collections, collections of chemical, and philosophical apparatus, mechanical, and artistic, models, books, drawings, pictures, statuary, antiquities, &c., and for cultivating other means of instruction, to, for, and upon, the uses, intents, and purposes, and upon the trusts, and subject to the conditions, and restrictions, contained in a deed which corresponds in form, and substance; and to, for, and upon, such other uses, intents, and purposes, and upon such other trusts, and subject to such other conditions, and restrictions, as are hereinafter mentioned.

William Wagner authorized to convey certain property to corporation hereby created.

Purposes of institution.

Subject to.

SECTION 3. William Wagner, Robert Cornelius, D. Rodney King, Charles J. Stillé, J. Vaughan Merrick, Samuel Wagner, Junior, and Professor Henry Copeè, and their successors, shall be, and hereby are, created, and constituted, a body corporate, by the name, and title, of the Wagner Free Institute of Science, for the advancement of science, and art; and the said body corporate shall possess all the powers, and privi-

Corporators.

Title.

leges, of a corporation, as conferred by the laws of Pennsylvania, and as granted by this act.

Powers of corporation to be exercised by president.

After his death, board of trustees to act.

SECTION 4. The corporate powers, and privileges, conferred upon, and granted to, the corporation hereby created, shall be exercised by William Wagner, president for life ; at his demise, then, by a board of trustees, which shall consist of Robert Cornelius, D. Rodney King, Charles J. Stillè, J. Vaughan Merrick, Samuel Wagner, Junior, and Professor Henry Copeè ; the term of office of such trustees, the manner of filling vacancies in the board of trustees, the manner, and course, of removal, and the resignation of trustees, and the liability of trustees, shall be as provided in said deed, aforesaid ; no member of this board shall receive any pecuniary compensation for their services.

Erection of certain buildings, relative to.

SECTION 5. To erect a laboratory on the west side of the hall, the height not to interfere with the light of the museum windows, according to the plan drawn by John M'Arthur, Esquire, for chemical purposes ; the building should be thoroughly fire-proof, and the door of entrance, from it into the lecture room, must be of cast iron, and kept closed, when not in use ; to erect two towers, one on the north corner of the hall, the other on the south corner, one for astronomical, the other for meteorological purposes, according to the plan drawn by John M'Arthur, Esquire ; should these buildings, described in this section, not be erected in the life time of the party of the first part, by him, and under his direction, the board of trustees, as in their opinion, the funds which shall, from time to time, be at their disposal, will warrant such an expenditure, or by endowment, gift or bequest, made for the above purposes, shall proceed to erect the laboratory, and two towers, above described, in a plain and substantial manner, for the purposes above named ; but should a special endowment be made by any person, for such objects, the trustees are enjoined to make such alterations in the plans, as the grantor may think desirable, and more effective.

Authorized to execute trusts and powers, mentioned in deed, &c.

SECTION 6. The corporation, hereby created, is hereby authorized, and empowered, to execute the trusts, and powers, mentioned in, and intended to be created by, the aforesaid deed, mentioned in section second of this act, to accept such deed, and to hold the premises, and property, therein mentioned, including all endowments, at any time to be made to the said corporation, subject to the conditions, and restrictions, created in said deed, and to, for, and upon, the uses, intents, and purposes, therein provided, in the said deed, and for the purposes, and to the extent provided in said deed, the said trusts, powers, conditions, restrictions, uses, intents, and purposes, are, and shall be, valid, and effectual, and shall attach to said premises and property.

To carry out all purposes, intents, &c., and receive endowments.

SECTION 7. The corporation hereby created, and the board of trustees thereof, are hereby authorized, and empowered, to do, and perform, all, and every, act, and thing, whatever, and carry out, and accomplish, all, and every trust, intent, and purpose, provided to be done, carried out, and accomplished, in, and by, the aforesaid deed, in respect to the said corporation or board of trustees ; and the said corporation is hereby, also, authorized,

and empowered, to receive all, and every, endowment, made to it, and to appropriate the same to the uses, intents, and purposes, contemplated herein, and in the deed.

SECTION 8. The trustees of the corporation, hereby created, may, at any time, organize a society, with the style, and title, of the Associates of the Wagner Free Institute of Science, for the advancement of science, and art, the object, and purposes, of which shall be the encouragement of the sciences, and arts, for the encouragement of meritorious discoveries, inventions, and improvements, and generally, by papers, and discussions, thereon, and other suitable means, to assist in the advancement, development, and practical application, of every department of science, in connection with the arts, manufactures, and commerce, of his native country; the said society shall consist of the said associates, the graduates of the institution, hereby incorporated, whose diplomas may include such rights, and privileges, and of such other persons as, from time to time, shall be elected members thereof, always including the members of the board of trustees of the Wagner Free Institute of Science, for the advancement of science, and art; the said board of trustees shall, from time to time, prescribe the conditions, and terms, of membership, which, at first, shall be an initiation fee of five dollars, and an annual contribution of five dollars, to said society, subject to the approval of said board of trustees, who shall make all rules, and regulations, for its own conduct, and government, pass its own by-laws, and prescribe the duties, and annual dues, of its members, and officers, and which said society shall elect its own members, and officers, and be styled associates, and corresponding members, and each shall receive a certificate of membership; the hall of the institute shall be used for the purposes of the association only, which shall consist of the president of the board of trustees, two vice presidents, a recording, and corresponding, secretary, a treasurer, librarian, solicitor, and two curators, who shall be elected at the last stated meeting in December; the seal of the association shall be the same as that used by the board of trustees; the said society shall be inseparably connected with the Wagner Free Institute of Science, for the advancement of science, and art; and the trustees shall be entitled, and are hereby permitted to receive, and in whom shall vest, all property, whatsoever, which shall, in any way, be acquired by, or, at any time, be granted, conveyed, assigned, devised, or bequeathed, including all endowments, or trusts, to the said society, for the uses, and purposes, of the Wagner Free Institute of Science.

Organization of a society authorized.

Objects of.

Membership.

By-laws, rules, &c.

Officers.

Seal.

Property.

SECTION 9. The faculty, by, and with, the approbation of the board of trustees, or a quorum thereof, shall have full power to grant diplomas, in the sciences, arts, philosophy, or letters, to such students of the institution, and others, as, by their proficiency in learning, or other meritorious distinction, they shall think entitled to them.

Diplomas may be granted.

SECTION 10. The trustees of the corporation, hereby created, shall, in the month of January, render an annual account of all their receipts, and expenditures, to the supreme court.

Annual accounts to be made to supreme court.

Corporate privileges.

SECTION 11. The trustees shall have a common seal; make contracts relative to the said institution; to sue and be sued; and by that name, and style, be capable, in law, of purchasing, holding, taking, and conveying, any estate, real, personal, or mixed, for the use of said corporation, of whatsoever kind, nature, or quality, soever, by gifts, grants, bargains, sale, assurance, will, devise, trust, or bequest, including all endowments from any person, or persons, capable of making the same: *Provided*, That the same do not exceed the yearly value of fifteen thousand dollars, over and above the gifts of William Wagner, and the state of Pennsylvania; and the same to grant, bargain, sell, devise, alter, lease, or dispose of, for the use of said institution, and to erect such buildings as may be necessary; and, generally, to do all, and singular, the matters, and things, which it shall be lawful for them to do, under the trust, for the well being, and ordering, of the affairs thereof; that the cabinet collections, edifice, and lot of ground, on which it is erected, belonging to the said institution, with any gifts, bequests, or endowments, so long as the same shall be used for free lectures, shall be exempt from taxation.

Proviso.

Property exempt from taxation.

Supreme court to have supervisory control.

SECTION 12. The supreme court shall possess, and exercise, a supervisory power over the corporation hereby created, and may, at any time, on reasonable notice of application thereof, to the board of trustees, compel from the trustees, collectively, or individually, a full account of the execution of their trust, and the trustees shall, at any time, render a like full account of the execution of their trust, on the request of either branch of the legislature.

Repeal.

SECTION 13. All provisions of the act, hereby amended, not hereby re-enacted, are hereby repealed.

When act to take effect.

SECTION 14. This act shall take effect immediately.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 135.

## A Supplement

To an act to incorporate the Philadelphia and Olney Railroad Company, approved the first day of April, Anno Domini one thousand eight hundred and fifty-nine.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said, the Philadelphia and Olney Railroad Company, is hereby authorized to commence the construction of their road, at any time, within two years from the passage of this act, and finish, and use, the same, and exercise, and enjoy, their corporate franchises, as fully as if the said road had been commenced, within the time limited by the nineteenth section of the act of assembly, approved the nineteenth day February, in the year of our Lord, one thousand eight hundred and forty-nine.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 136.

## An Act

To regulate places of public amusement in the city of Philadelphia.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That it shall not be lawful to exhibit, to the public, in any building, garden, grounds, concert-room, saloon, or other place, or room, within the city of Philadelphia, any interlude, tragedy, comedy, opera, ballet, play, farce, negro minstrelsy, negro, or other, dancing, or any other entertainment of the stage, or any part thereof, or any representation, in which a drop curtain, and scenery, or theatrical costumes, are

Proprietors, or managers, of places of amusement required to take out a license.

How to be granted.

Penalty for exhibitions, performances, &c., without such license.

Attendance of females, as waiters, prohibited.

Penalty for violating this provision.

Mayor may annul license, upon proof of violation of this act.

Authorized to prevent performances, and close buildings, in certain cases.

used, or any equestrian, circus, or dramatic performance, or any performance of jugglers, rope dancing, or acrobats, or any entertainment of vocal, or instrumental, music, or any menagerie, until a license for such exhibition, performance, or entertainment, shall have been first had, and obtained, from the mayor of the city of Philadelphia; which license shall be granted by him, for each, and every, place, or building, in which, such exhibitions, performances, or entertainments, are held, upon the payment, by the owner, or manager, of the sum of ten dollars, to the city treasurer, for the whole, or for any portion, of each calendar year; and every manager, proprietor, or director, of any such exhibition, performance, or entertainment, who shall neglect to take out such license, or who shall allow, or cause, any such exhibition, performance, or entertainment, without such license, and every owner, or lessee, of any building, room, garden, grounds, concert-room, or other place, who shall lease, or let, the same, for the purpose of any such exhibition, performance, or entertainment, or shall assent to the use thereof, for any such purpose, except as permitted by such license, and without such license having been previously obtained, and then, in force, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine, not exceeding one hundred dollars, or undergo an imprisonment, not exceeding three months, or both, or either, at the discretion of the court.

SECTION 2. It shall not be lawful for any female to attend among, or wait upon, the audience, or spectator, at any of the exhibitions, performances, or entertainments, mentioned hereinbefore, or at any other place of public amusement, in the city of Philadelphia, to procure, offer, furnish, or distribute, any description of commodities, or refreshments, whatsoever; nor shall it be lawful for any manager, or proprietor, of any such exhibition, performance, entertainment, or place of public amusement, to employ, or permit the employment of, any female, to attend among, or wait upon, the audience, or spectators, thereat, to procure, offer, furnish, or distribute, any description of commodities, or refreshments, whatsoever; and any person, violating any of the provisions of this section, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine, not exceeding five hundred dollars, or undergo an imprisonment, not exceeding one year, or both, or either, at the discretion of the court.

SECTION 3. That it shall be lawful for the mayor of the city of Philadelphia, upon satisfactory proof, under oath, or affirmation, of the violation of any of the provisions of this act, to vacate, annul, and render void, and of no effect, any license, which shall have been obtained, as aforesaid, by any manager, proprietor, owner, or lessee, for the holding such exhibition, performance, or entertainment, or allowing, or letting, any part of a building, or other premises, for the purposes thereof; and it shall also be lawful, for the said mayor, to prevent any such exhibition, performance, or entertainment, from being held, exhibited, or performed, until the license, hereinbefore provided for, shall be paid, or, if the same shall have been annulled, or vacated, for violation of any of the provisions of this act,

and, to that end, to direct the police to close the building, room, or other place, in which, the said exhibition, performance, or entertainment, is intended to be held, and to prevent the entrance of auditors, or spectators.

SECTION 4. That all sums of money, received by the city treasurer, in payment for licenses, under this act, shall be paid into the treasury of the said city, for municipal uses; and it is hereby enacted, that nothing, in this act contained, shall, in any wise, be taken, or deemed to revoke, modify, or interfere with, the provisions of the several acts of the general assembly, requiring license from the state, for theatrical, or other exhibitions.

License fees, under this act, to be paid into city treasury.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 137.

## An Act

To incorporate the Plymouth Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Stephen Colwell, W. Dwight Bell, Theodore Trewendt, and Edward S. Colwell, of the city of Philadelphia, and Samuel Fulton, of the borough of Conshohocken, Montgomery county, and such other persons as shall associate with them, and their successors, be and they are hereby erected into a body politic, and corporate, for the purpose of manufacturing iron in Montgomery county, under the name, and style, of the Plymouth Iron Company, with a capital stock of three hundred thousand dollars, to be divided into shares of fifty dollars each, by which name, the said corporators, and their successors, shall have perpetual succession, and enjoy all the privileges, and franchises, incident to a corporation.

Corporators.

Style.  
Capital stock.

SECTION 2. The said company shall have, and enjoy, all the rights, powers, privileges, and immunities, and be subject to all the restrictions, contained in the act of assembly, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-one, entitled, "An Act to incorporate the Allentown Iron Company," having the right to hold two hundred

Powers and privileges.  
Subject to.

May hold lands. acres of land, within the counties of Montgomery and Chester; and that the company shall be managed by a board of five directors, one of whom shall be president, and a majority have power to act.

Bonus. SECTION 3. That this corporation shall pay, into the treasury of the commonwealth, a bonus of one-half of one per centum, on the capital stock hereby authorized, or hereafter created, in four equal, annual, instalments, and such taxes, on dividends, as is, or may be, provided by law; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen, and laborers, employed by said company, and for all materials, and provisions, furnished to said company, to be sued for, and collected, as is provided in the twelfth, thirteenth, and fourteenth, sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

Tax on dividends.

Individual liability.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 138.

## Supplement

To an act incorporating the North American Oil Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the North American Oil Company, chartered by authority of an act of assembly, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, is hereby authorized, with the consent of its directors, to increase the capital stock of said company to three hundred thousand dollars, subject to same bonus tax, on increase, as originally named. That the said company shall have power, and authority, by the vote of directors, to reduce the price of the stock from twenty to ten dollars per share, and instead of authority to



issue ten thousand shares, shall have authority to issue thirty thousand shares, at ten dollars each share, par value.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 139.

## A Further Supplement

To the Warren and Tidionte Railroad Company, approved the seventeenth day of April, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the directors of the Warren and Tidionte Railroad Company be, and they are hereby, authorized to change the name of the said railroad company, adopting such name as they may elect, and that a certificate, under the corporate seal of the company, under the name so adopted, shall be filed in the office of the secretary of the commonwealth: *Provided however,* That the change, if so made, shall in no wise affect any pending claims, or litigation.

Directors authorized to change corporate name.

Certificate to be filed.

Proviso.

SECTION 2. That the directors of the said company be authorized, from time to time, to increase the capital stock of the company to any number of shares, not exceeding thirty thousand, and that they may issue bonds, to such an amount as they may deem advisable, for the construction, and equipment, of the said road, its branches, and appurtenances, and secure the same by one, or more, mortgages upon the said road, its branches, appurtenances, property, real and personal, and corporate franchises, acquired, and to be acquired: *Provided,* That no bond shall be issued for a less sum than one hundred dollars.

Capital stock may be increased.

To issue bonds.

Proviso.

SECTION 3. That the said company shall have the right to cross any other railroad, at grade; and that the fourth section of an act, entitled "A supplement to the act incorporating the Warren and Tidionte Railroad," approved the fourteenth day of April, one thousand eight hundred and sixty-three, be

May cross other roads at grade.

Repeal of certain section.

Time for completing road extended. and the same is hereby repealed; and that the time for completing said railroad, from its point of connection with the Philadelphia and Erie railroad, to its terminus, at or near Franklin, shall be extended three years, from the date hereof;

May use portion of road, as completed. but said company shall have the right to use, and operate, such portions of their said road as, from time to time, shall be ready for use.

Repeal. SECTION 4. That all laws, or parts of laws, inconsistent with this act, be and the same are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 140.

## An Act

To incorporate the Frankford and Falls of Schuylkill Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners. That M. W. Baldwin, William Ervien, B. Rowland, Daniel Taunce, J. D. Logan, Samuel B. Henry, Martin Landenberger, Samuel M. Hough, Frederick Lovejoy, George Fling, Henry B. Bruner, Theodore A. Mehl, P. S. Peterson, George W. Hamersly, Charles Wister, Barton H. Jenks, Francis Green, Casper Morris, W. H. Gatzmer, and C. Eastburn, or such of them, not less than five, who may act, are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name of the Frankford and Falls of Schuylkill Turnpike Company, with power to construct a turnpike, plank, or gravel, road, of not less than thirty-five feet in width, from Frankford to the Falls of Schuylkill, over the road commonly known as Nicetown lane, with the privilege of extending the same from Frankford to Bridesburg, and to Tacony, with the privilege of using the Falls, or Lamb Tavern, road, from the Nicetown lane to Ridge avenue; to lay out, and alter, the grade of the roads, and streets, so occupied; to stone, or gravel, said road, streets, or parts thereof,

Name.

Route.

and to construct bridges, and causeways, wherever necessary, and to do all things needful to complete said road.

SECTION 2. That the capital stock of said company shall consist of three thousand shares, of twenty-five dollars each; whenever subscriptions shall have been received by said commissioners, or such of them, not less than five in number, who may act as commissioners, to the extent of at least one thousand shares, on which, five dollars, or more, per share, have been paid, then the parties, so subscribing, and paying, and their successors, are, without further form, hereby declared to be, and created, into a body politic, and corporate, in law, by the aforesaid name, with power to sue, and to be sued, take, hold, and convey, property, and estate, make by-laws, and make, use, and change, a common seal: *Provided*, The said company may, from time to time, increase the said capital so much, in their opinion, as may be deemed necessary to complete the said road, and to carry out the true intent, and meaning, of this act.

Capital stock.  
Subscriptions.  
Privileges.  
Proviso.

SECTION 3. The officers of said company shall be a president, secretary, treasurer, and five directors, who shall be elected by the stockholders, on the first Monday of April, Anno Domini one thousand eight hundred and sixty-four, at such place, and during such hours, as may be fixed by said commissioners, or such of them, not less than five, as may be acting, and annually, thereafter, at such place, and during such hours, as may be fixed by the directors; publication of said election shall be made twice a week, for two weeks immediately preceding, in two daily papers, published in said city; the directors shall have power to fix salaries, if any, to be paid to any officers of the company.

Election of officers.  
Salaries.

SECTION 4. That the said company shall have power to borrow any sum, not exceeding thirty thousand dollars, on their bonds, secured by a mortgage on the road, property, and franchises, of the company.

Authorized to borrow money.

SECTION 5. That no railroad shall ever be constructed on, or over, said road, or any part thereof, by said company, nor shall any company, hereafter incorporated, be authorized to construct a railroad on, or over, the bed of said turnpike road, without first making adequate compensation to said company: *Provided*, That this section shall not be so construed as to prohibit any railroad company from crossing over said road.

Prohibition as to construction of railroads.  
Proviso.

SECTION 6. That whenever the said company shall have completed two miles, or more, of said road, they shall have power to erect toll gates, and toll houses, and charge, and receive, tolls: *Provided*, That they shall never exceed three cents per mile, per horse, and that for each fraction of a cent, in the computation of toll, the said company may charge, and collect, one cent; subject, however, to the provisions of an act, entitled "An Act relative to persons going to, and returning from, funerals, in the city of Philadelphia," approved April fifth, one thousand eight hundred and sixty.

When tolls may be received.  
Limitation.

SECTION 7. That if the said company shall not commence the construction of said road, within three years from the passage of this act, and complete the same, within five years thereafter, then this act shall be null, and void, except so far

When road to be commenced and completed.

as the same may be necessary to settle up the affairs, and pay the debts, of the company.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 141.

## An Act

To incorporate the Pioneer Mining Company of Colorado.

Corporators.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That James H. Walton, William Overfield, Jr., George B. Newton, Samuel H. Pollock, John G. Butler, and H. R. Linderman, and their associates, be and they are hereby created,
Title.	a body politic, by the name, style, and title, of the Pioneer Mining Company of Colorado, and, by such name, and title,
Privileges.	shall have perpetual succession, and shall be capable of suing, and being sued, impleading, and being impleaded, and of granting, and of receiving, in its corporate name, property, real, personal, and mixed, and of holding, and improving, lands in Colorado territory, and to obtain, therefrom, any, and all, minerals, and other valuable substances, whether by working, or mining, or leasing, or disposing, of privileges, to work, or mine, such land, or any part thereof, and to erect houses, and such other buildings, and works, as may, in the opinion of the managers of the corporation, appertain to said business, and to use, let, lease, or work, the same, and to dispose of the products of all such lands, mines, and works, as they may deem proper.
By-laws.	SECTION 2. That the said company shall have power to make such by-laws as they may deem proper, to enable them to carry out the objects of the corporation, and the same to alter, amend, add to, or repeal, at their pleasure: <i>Provided,</i> That such by-laws shall not be contrary to the constitution of this commonwealth, or the provisions of this act, and to adopt a common seal, and the same to alter at pleasure, and to issue certificates of stock, representing the value of their property, in such form, and subject to such regulations, as they may, from time to time, by their by-laws, prescribe, and to regu-
Proviso.	
Seal.	
Certificates of stock may be issued.	

late, and prescribe, in what manner, and form, their contracts, and obligations, shall be executed.

SECTION 3. That the corporators of this act shall elect persons, to serve as directors of this company, a majority of whom shall constitute a quorum for the transaction of business, and shall hold their offices until their successors shall have been elected, in accordance with the by-laws.

SECTION 4. That it shall be lawful for said company to establish the necessary offices for the business of the company, wherever their business is located, and to have their principal, in the United States, in such places as they may deem expedient, at which place, it shall be lawful to hold all meetings, for the transaction of the business of the company.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 142.

## An Act

For the relief of Jacob Welker, of Montgomery county.

WHEREAS, Jacob Welker, administrator of Susanna Welker, deceased, paid to the register of wills of said county of Montgomery, the sum of seven hundred and fifty-eight dollars and fifty-eight cents, as collateral inheritance tax on the estate of said deceased, the same having been based on an appraisement, made by an appraiser, appointed according to law, amounting to fifteen thousand one hundred and seventy-one dollars and sixty-five cents:

*And whereas*, By certain proceedings in the orphans' court of said county, it has been ascertained that the sum of seven thousand six hundred and sixty-two dollars and seven cents, part of the above sum of fifteen thousand one hundred and seventy-one dollars and sixty-five cents, was not subject to collateral inheritance tax, and the said court, by its decree thereupon, reported to allow to the said Jacob Welker the audit which he claimed for the same:

*And whereas*, By reason of said decree, the said Jacob Welker will lose the said sum of three hundred and eighty-three dollars and ten cents, which he has paid into the treasury of the commonwealth, and which does not rightfully belong to

the commonwealth, unless the same shall be refunded to him ; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized to pay to the said Jacob Welker, out of any money in the treasury not otherwise appropriated, the above mentioned sum of three hundred and eighty-three dollars and ten cents, the amount erroneously paid him, as aforesaid.

**HENRY C. JOHNSON,**

Speaker of the House of Representatives.

**JOHN P. PENNEY,**

Speaker of the Senate.

**APPROVED**—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

**A. G. CURTIN.**

No 143.

## An Act

Repealing a portion of an act in relation to grading and paving, in the borough of Manchester, in the county of Allegheny.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act, entitled, "An Act in relation to grading and paving, in the borough of Manchester, in the county of Allegheny," and approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty, as is contained in the proviso to the first section of said act, be and the same is hereby repealed.

**HENRY C. JOHNSON,**

Speaker of the House of Representatives.

**JOHN P. PENNEY,**

Speaker of the Senate.

**APPROVED**—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

**A. G. CURTIN.**

No. 144.

**An Act**

To incorporate the General Taylor Steam Forcing Hose Company, number thirty-five, in the city of Philadelphia.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all, and every, the persons that shall, at the time of passing this act, be members of the association, called the General Taylor Steam Forcing Hose Company, number thirty-five, in the city of Philadelphia, shall be and they are hereby elected, and declared to be, one body politic, and corporate, by the name, style, and title, of the General Taylor Steam Forcing Hose Company, number thirty-five, of the city of Philadelphia, and, by the same, shall have perpetual succession, and shall be able to sue, and be sued, implead, and be impleaded, in all courts of record, or elsewhere; and also, the said corporation, and their successors, at all times hereafter, be able to purchase, receive, have, hold, and enjoy, to them, and their successors, all manner of lands, tenements, rents, annuities, liberties, franchises, and other hereditaments, goods, and chattels, of whatsoever nature, kind, or quality soever, real, personal, or mixed, or *choses in action*, and the same, from time to time, to sell, alien, grant, demise, and dispose of: *Provided*, That the clear, yearly value, and income, of the said corporation, shall not exceed two thousand five hundred dollars; and also to make, and have, a common seal, and the same to break, and renew, at pleasure; and also to ordain, establish, and put in execution, such by-laws, ordinances, and regulations, as shall appear necessary, and convenient, for the government of the said corporation, not being contrary to this charter, or the constitution and laws of the United States, or of this commonwealth, and generally to do all, and singular, the matters and things, which, to them, it shall lawfully appertain to do, for the well-being of the said corporation, and the due management, and ordering, of the affairs thereof: *And provided further*, That said company shall, at all times, be subject to such rules and regulations for the government of the fire department of the city Philadelphia, as are now, or may hereafter, be enacted by the corporate authorities of the said city.
- SECTION 2.** That nothing, in this act contained, shall be deemed to authorize the said company to engage, either directly or indirectly, in any banking, moneyed, commercial, or manufacturing concern, or to act in any other way than as a fire company.
- SECTION 3.** That the legislature reserves the power to alter, revoke, or annul the privileges, and charter, hereby granted, whenever, in their opinion, the same may be injurious to the
- Incorporation.
- Title.
- Privileges.
- Annual income.
- Seal.
- By-laws.
- Subject to.
- Prohibition.
- Reservation.

citizens of the commonwealth; in such manner, however, that no injustice shall be done to the corporators.

**MAY BUILD A MARKET HOUSE.** SECTION 4. That said corporate body shall have the right to build, upon any portion of their premises, now, or hereafter to be, occupied by them, a market house, for the accommodation of farmers.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 145.

## An Act

Fixing the costs to be paid to the Sheriff of Warren county, for conveying prisoners to the penitentiary.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the fees to be paid to the sheriff of Warren county, for conveying prisoners, sentenced, to the penitentiaries of the commonwealth, shall be as follows, namely: three dollars per day, for each day employed in such removal, and three cents for each mile circular travel, and such necessary assistance, and expenses incurred, in such removal; a statement, or exhibit, of the items, to be approved by the president judge of said county, or by the two associate judges.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 146.

## A Further Supplement

To an act appointing commissioners to lay out, and open, a state road, in the counties of Potter and M'Kean, approved April eleventh, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That L. B. Cole, Miles White, and Collins Smith, commissioners appointed to appraise damages, by the second section of an act, approved January twenty-ninth, Anno Domini one thousand eight hundred and sixty-three, are hereby authorized to file their report, or the report of the majority of them, of such damages, in the court of common pleas, of the county of Potter, on, or before, the first Monday of September term, Anno Domini one thousand eight hundred and sixty-four; which report, when so filed, shall be final, and conclusive.

SECTION 2. That when the supervisors of any township, through which, said state road passes, shall fail to levy a regular road tax, of at least one per cent. on the dollar, of the assessed valuation, the commissioners, of said state road, are hereby authorized, in addition to the tax which they are now, by law, authorized to levy, to levy an additional amount, sufficient to make the said state road fund equal to a tax of one per cent., on the assessed valuation of the unseated lands, in the townships, through which, said state road passes; and the said commissioners are hereby authorized, in case the supervisors of any township, through which said road passes, have heretofore failed to levy a regular road tax, of one per cent., in any year, to levy a sufficient amount of tax upon the unseated lands, in said township, to make the road fund, derived from the unseated lands, in any such township, equal to a tax of one per cent., upon the assessed valuation of unseated lands in said township, per year, from the passage of the act, to which this is a supplement.

SECTION 3. That the powers, and authority, vested in the commissioners of said state road, by the act, to which this is a supplement, and its several supplements, are hereby continued for the term of twelve years, from the passage of the original act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 147.

## A Supplement

To an act to incorporate the town of Bellevernon, partly in Fayette and partly in Westmoreland county, into a borough, approved the fifteenth day of April, one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it is the true intent, and meaning, of the act, to which this is a supplement, that the town of Bellevernon, incorporated by said act, is all within the limits, and under the jurisdiction, of Fayette county, for all purposes; and that all the proceedings, and acts, of the burgess and town council of said borough, are hereby declared to be valid, and legal, so far as not inconsistent with the general laws regulating boroughs.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred sixty-four.

A. G. CURTIN.

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No. 148.

## An Act

For the protection of sheep, and the taxing of dogs, in the counties of Warren and Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled, "An act for the protection of sheep, and taxing of dogs, in the county of Blair," approved the twentieth day of May, Anno Domini one thou-

sand eight hundred and fifty-seven, be and they are hereby extended to the counties of Warren and Luzerne.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 149.

## An Act

For the relief of Joseph Reed, for the expense incurred in bringing home the body of his son, John H. Reed, a corporal of company H, Eleventh regiment, Pennsylvania Reserve Volunteer Corps, who was mortally wounded at the battle of Fredericksburg, December thirteenth, one thousand eight hundred and sixty-two, and died in Washington, December twenty-second, one thousand eight hundred and sixty-two.

WHEREAS, By joint resolution, approved February twenty-eight, one thousand eight hundred and sixty-two, by which, the legislature pledges the executive all the funds that may be required to insure an honorable burial to the dead, slain in battle, in defence of our government:

AND WHEREAS, Corporal John H. Reed, of company H, Eleventh regiment, Pennsylvania Reserve Volunteer Corps, was mortally wounded at the battle of Fredericksburg, on the thirteenth day of December, one thousand eight hundred and sixty-two, and died at Washington city, D. C., on the twenty-second day of the same month, and his father, not being aware of the arrangement of the state authorities, in furnishing transportation for one person to proceed to the battle-field, and the necessary cost of bringing home the bodies of those falling in defence of their country, incurred the expense of eighty dollars, in sending for the body of his son, from Greensburg, Westmoreland county, Pennsylvania, and returning with the body, all of which expense the state would have assumed, had he been aware of the law on the subject; which expense he feels unable to bear. As all others have, and are, availing themselves of, the benefit of the said law, or joint resolution, therefore be it

*Resolved, by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the*

aforesaid claim, of Joseph Reed, be referred to the appropriate accounting officers, to be settled in the usual manner, and the amount, if any found due, be paid by warrant of the auditor general.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 150.

## An Act

To authorize the borough of Union Mills to increase their taxation for borough purposes, and to authorize a better mode of electing the town council of said borough, et cetera.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Council authorized to levy a special tax.

That the burgess and town council of the borough of Union Mills, in the county of Erie, shall have power to levy, and collect, a special tax for borough purposes, of not more than one cent on the dollar, of the last adjusted valuation.

Election of councilmen.

**SECTION 2.** That from, and after, the passage of this act, the town council, of said borough, shall consist of six members, who shall be elected, by the qualified voters of said borough, at their next annual borough election, as follows, to wit: two, to serve for the term of one year; two, to serve for the term of two years, and two, to serve for the term of three years, and annually, thereafter, two shall be elected to serve for the term of three years.

Repeal of provision requiring ordinances to be published in newspaper.

**SECTION 3.** That so much of the fourth division, of the third section, of an act, approved April third, one thousand eight hundred and fifty-one, entitled "An Act regulating boroughs," requiring the corporate officers, of boroughs, to publish enactments, regulations, ordinances, or other general laws, ordered, or passed, by the burgess and town council, in one newspaper, &c., at least ten days before the same takes effect, is hereby repealed, so far as the same relates to the borough of Union Mills, Erie county; and the publication of such ordinances, regulations, or general laws, by twelve written, or printed, no-

tices, put up in the most public places, in the said borough, shall be deemed lawful, and sufficient, advertisement thereof.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 151.

## An Act

Making certain streets, in the village of Ridgway, Elk county, public roads.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Main street, Centre street, South street, Water street, Elk street, Mill street, Court street, Broad street, and East street, in the village of Ridgway, Elk county, as laid out in John J. Ridgway's plan of said town, be and the same are hereby declared public roads, and highways; and the supervisors, of said township of Ridgway, are hereby authorized, and required, to open, lay out, and improve, the same, in the manner, and of the same width, as said streets are respectively laid out, and plotted, on said Ridgway's plan of said town.

SECTION 2. That the supervisors, of said township of Ridgway, be and they are hereby required to appropriate, and expend, for the opening, grading, and improvement, of said streets, all the road taxes assessed upon property within the limits of said village, and including all the territory embraced within the following boundaries, to wit: Beginning at the intersection of Hyde's mill race with Elk creek; thence south, to Ridgway's south line; thence west, along the south line of the Ridgway land, to the south-west corner of the Cardot farm; thence north, along lands of Dickinson & Co., to the Clarion river; thence up said river to the mouth of Elk creek, and thence up said Elk creek, its several courses and distances, to the place of beginning; and as much more of the road funds, of said township, as said supervisors may deem necessary, may also be expended on said streets.

SECTION 3. That the supervisors of said township be authorized to levy, and assess, in addition to the regular road tax, a further tax upon the property included within said boundaries of said village, not exceeding, in any one year, one per cent.

Certain streets declared public highways.

Duties of supervisors.

Road taxes assessed upon property, within certain limits, to be appropriated for opening, and grading, streets.

Additional road tax may be levied, for constructing side walks, et cetera.

tum upon the assessed valuation of said property ; said tax to be appropriated to the construction of side walks, in and along said streets, and to the grading and improvement of the same, and to be collected in the manner provided for the collection of other road taxes.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 152.

## An Act

To incorporate the Moshannon and Grahamton Turnpike Road Company.

- SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*
- Commissioners. That F. P. Hurxthal, Harbison Holt, S. H. Hershe, John T. Hoover, William Stewart, Jacob Mock, James B. Graham, Thomas H. Forcey, and James Nelson, or any four of them, be and they are hereby appointed commissioners to open books, receive subscriptions, to stock, and organize a company, by the
- Style. name, and style, of the Moshannon and Grahamton Turnpike Road Company, with power to locate, and construct, a turnpike road from Moshannon to Grahamton, in the counties of
- Location. Centre and Clearfield, on, or near, the bed of the present state road, as now located, with full power, however, to change the location of the same, so as to either shorten the distance, or
- Subject to. improve the road, for traveling purposes, subject to all the provisions, and restrictions, of an act regulating turnpike and plank road companies, passed January sixth, one thousand eight hundred and forty-nine, and the several supplements thereto, excepting as the same is herein otherwise provided.
- Capital stock. SECTION 2. That the capital stock of said company shall consist of five hundred shares, at twenty-five dollars each : *Provided*, That said company may, from time to time, by vote of the stockholders, at a meeting called for the purpose, increase their capital stock so much as, in their opinion, may be necessary to complete the road, and carry out the true intent, and meaning, of this act.
- May use other roads. SECTION 3. That the said company may use all, or such parts of, public, township, and state, roads, existing between

the points aforesaid, as shall be deemed practicable, and beneficial, to the interests of the said company.

SECTION 4. That the officers shall consist of one president, Officers. five managers, and one treasurer, and such other officers as may be necessary to conduct the affairs of the company, and elected, as provided for by the third section of the act regulating turnpike and plank road companies.

SECTION 5. That if the said company shall not commence the construction of said road, within three years, and complete the same, in five years thereafter, this act shall be null, and void, except so far as may be necessary to settle up the affairs, When road to be commenced and completed. and pay the debts, of the company.

SECTION 6. That when said company shall have made, and completed, their said road, between the two points mentioned in this act, they shall have power to collect, and receive, toll on the same, notwithstanding the distance may be less than five miles; and said company may borrow any sum of money, Collection of tolls authorized not exceeding four thousand dollars, for the purpose of completing said road, at any rate of interest, May borrow money. not exceeding six per centum per annum, and secure the same by a mortgage on said road: *Provided*, No bond, issued for any money so borrowed, Bonds. shall be for a less sum than one hundred dollars.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 153.

## An Act

To authorize the Mansfield Classical Seminary, and State Normal School of the Fifth District, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the Mansfield Classical Seminary, and State Normal School of the Fifth district, (located at Mansfield, Tioga county, Pennsylvania,) are hereby authorized to borrow ten thousand dollars, and secure the same upon the real estate of said seminary and normal school, by bond and mortgage, signed by the president of said trustees, and attested by the secretary, and seal of said corporation, in the

usual form; and that a mortgage, bearing date the first day of December, A. D. one thousand eight hundred and fifty-six, against the Mansfield Classical Seminary, acknowledged the sixth day of January, A. D. one thousand eight hundred and fifty-seven, and recorded in Tioga county, in mortgage book, number one, pages six hundred and forty-four, and six hundred and forty-five, assigned to Joel Parkhurst, is hereby legalized, made valid and binding, upon the said Mansfield Classical Seminary, and State Normal School, as if full and legal authority had existed, for the execution and delivery thereof, at the time the said mortgage was executed, and delivered.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 154.

## An Act

To incorporate the Clement Seminary.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there shall be and is hereby established, and created, in the town of Germantown, county of Philadelphia, a seminary for the education of young ladies, in the English, and other, languages, and in useful arts, sciences, and literature, by the name, style, and title, of the Clement Seminary; the said seminary to be under the direction, management, and government, of a board of trustees, not exceeding five in number, three of whom shall constitute a quorum for the transaction of business.

Seminary es-  
tablished.  
Objects.

Board of trus-  
tees.

Corporators.

Title

SECTION 2. That A. Atkins, Charles Dutill, E. Clement, Anthony Miskey, W. F. Smith, and their successors, and all persons who now are, or may hereafter be, associated with them, be and they are hereby created, and erected, into a body politic, and corporate, in deed, and in law, by the name, style, and title, of the Clement Seminary, in Germantown, county of Philadelphia; by that name, shall have perpetual succession, and be able to sue, and be sued; plead, and be impleaded, in any court of law, or equity, and elsewhere; and shall be able,



and capable, in law, and equity, to take, and hold, to them, **Privileges.**  
 and their successors, either by grant, gift, devise, lease, or  
 otherwise, any lands, or real estate, for the purpose of erect-  
 ing thereon a suitable building, or buildings, for the use of  
 the said Clement Seminary ; and, also, to take, and hold, for  
 the use of the said association, any goods, chattels, sum, or  
 sums, of money, by gift, grant, bargain, sale, will, devise, be-  
 quest, or otherwise, from any person, or persons, whatsoever,  
 capable of making the same ; and the same, at their pleasure,  
 to grant, bargain, and sell, for the use of the said Clement  
 Seminary, and generally to do all, and singular, the matters,  
 and things, which shall be lawful for them to do, for the well  
 being, and due management, of the affairs of the said Clement  
 Seminary : *Provided*, That the real estate, of the said Clement **Proviso.**  
 Seminary, shall not exceed the net yearly income of five  
 thousand dollars.

SECTION 3. That it shall, and may, be lawful for the said **Seal.**  
 corporation, to have a common seal, and the same, at will, and  
 pleasure, to change, alter, and renew, as they shall think pro-  
 per ; and shall have, and exercise, all the rights, privileges,  
 and immunities, necessary for the purposes of the corporation  
 hereby constituted, and as herein expressed.

SECTION 4. That the capital stock, of the said Clement Semi- **Capital stock.**  
 nary, shall be forty thousand dollars, to be subscribed for in  
 shares of one hundred dollars each, to be paid in instalments of  
 such amounts, and at such times, as the stockholders, by a vote  
 of the majority, at their first meeting, may direct, and appoint ;  
 and the parties, herein named, are hereby empowered, and au-  
 thorized, to open books, and receive subscriptions, for stock in **Subscriptions.**  
 the said seminary, and when fifty shares shall have been sub-  
 scribed, to call a meeting of the stockholders, for the purpose **Meeting of**  
 of adopting such laws and regulations as may be expedient, **stockholders.**  
 and necessary, for the well being, and government, of the  
 seminary, not inconsistent with the constitution of the United  
 States, or state of Pennsylvania ; notice of the time, and place, **Notice.**  
 of holding said first meeting, to be given by advertisement, at  
 least once a week, for two weeks, in one daily newspaper, to  
 be published in the city of Philadelphia : *And provided fur-*  
*ther*, That the enrolment tax, on this charter, shall be the same **Enrolment tax.**  
 that is imposed on mutual insurance charters, by act of six-  
 teenth of April, one thousand eight hundred and forty-five.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one  
 thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 155.

*An Act*

To authorize the Auditor General and State Treasurer to re-settle the account of Robert J. Canan, late treasurer of Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer are hereby authorized to open, and re-audit, and settle, the account of Robert J. Canan, late treasurer of the county of Venango, for the year one thousand eight hundred and sixty-two, and, in such settlement, to allow the said treasurer a credit for all licenses he has been unable to collect, and for which, he has, or shall, forward transcripts of judgments, or unsuccessful suits.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 156.

*An Act*

Relating to the Collection of District and Township Debts in the several counties of the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That when it shall be shown to the court of quarter sessions, of any county of this state, that the debts due by any district, or township, in said county, shall exceed the amount which supervisors, or overseers, may collect, in any year, by taxation, as at present regulated, or when the proper officers refuse to levy a tax, for the purposes set forth in the seventh section, of the act of the twenty-fifth of February, one thousand eight hundred and thirty-five, it shall, and may, be lawful for said court,

After ascertaining, by proper means, the amount of indebtedness, of any particular district, or township, by a writ of *mandamus*, to direct the proper officers, by special taxation, to collect an amount sufficient to pay the same: *Provided always*, That if the amount, of such indebtedness, is so large as to render it unadvisable to collect the same, in any one year, taking into consideration other necessary taxation, the said court may direct the same to be levied, and collected, by annual instalments, or proportions, as may be adjudged reasonable and proper, and may order such special taxes to be levied, and collected, during such successive years, as may be required for payment of the same.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 157.

## An Act

To incorporate "The Emlen Institution, for the benefit of children of African and Indian descent."

WHEREAS, Samuel Emlen, formerly of Philadelphia, but afterwards residing in Burlington, in the state of New Jersey, deceased, by his last will and testament, dated the twenty-fourth day of the twelfth month, (December,) one thousand eight hundred and thirty-six, duly recorded in the office of the register of wills, at Philadelphia, did bequeath to twelve persons, therein named, and their successors, the sum of twenty thousand dollars, in trust, for the purpose of founding, or supporting, an institution for the education, maintenance, and instruction of free male children of African, or Indian, descent, with the hope that others might be induced to increase the funds, and usefulness of the proposed institution: Preamble.

And whereas, By elections, made from time to time, as provided in said will, the individuals, now acting as such trustees, are Lindzey Nicholson, William Shippen, Thomas Wistar, James J. Barclay, John M. Whitall, Israel H. Johnson, Israel Morris, William Parker Foulke, Samuel F. Troth, Thomas Stewardson, Jr., Philip P. Randolph, and Albert H. Smith, all citizens of the state of Pennsylvania:

*And whereas, It is provided in said will, that the trustees may apply to, and accept, from the legislature, a charter of incorporation; therefore,*

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Corporators.

That the said Lindzey Nicholson, William Shippen, Thomas Wistar, James J. Barclay, John M. Whitall, Israel H. Johnson, Israel Morris, William Parker Foulke, Samuel F. Troth, Thomas Stewardson, Jr., Philip P. Randolph, Albert H. Smith, and their successors, duly elected, and appointed, be and they are hereby made, declared, and constituted, a corporation, and body politic, and corporate, to have continuance forever, by the name, style, and title, of "The Emlen Institution for the benefit of children of African and Indian descent,"

Name.

Powers and privileges.

and by the name, style, and title, aforesaid, shall forever hereafter be capable, and able, in law, to take, receive, hold, and enjoy, all real and personal estate, which they now hold by virtue of the last will and testament of said Samuel Emlen, deceased, or which is held by any person, or persons, to the use of the said Emlen Institution, or in trust therefor; and all such real and personal property, and estate, is hereby vested, and established, in the said corporation, and their successors, forever; and that the said corporation, and their successors, at all times hereafter, shall be able, and capable, to acquire, purchase, have, hold, and enjoy, in fee simple, or of less estate, or estates, any lands, real, and personal, property whatever, by the gift, grant, bargain, sale, alienation, or devise, of any party, or parties, able to make the same, and such real, and personal, estate and property, or any part, or parts, thereof, to grant, bargain, sell, transfer, lease, mortgage, convey, and otherwise dispose of, absolutely, or in fee simple, or for any less estate, or estates; and that the said corporation, and their successors, shall have full power and authority to make, have, and use, one common seal, and the same to break, alter, and renew, at their pleasure.

Seal.

May sue and be sued, &c.

*SECTION 2.* That the said corporation, and their successors, by the name, style, and title, aforesaid, shall be able, and capable in law, to sue and be sued, plead and be impleaded, in any court, in all manner of suits, pleas, matters, and demands, whatsoever.

By-laws.

*SECTION 3.* That the said corporation, and their successors, shall be and are hereby authorized, and empowered, to make, and establish, by-laws and ordinances, for the due government of the said corporation: *Provided,* The said by-laws and ordinances be not repugnant to the constitution and laws of the United States, or of this commonwealth, to this act, or to the conditions, and trusts, of the said will of Samuel Emlen, deceased.

Proviso.

Membership of corporation.

*SECTION 4.* That the corporation shall consist of not less than twelve, and not more than fifteen persons, and if the place of any member of the said corporation be made vacant by death, resignation, or otherwise, it shall be the duty of the remaining members of the said corporation, or a majority of

them, within six months after such vacancy shall arise, to elect, Vacancies.  
and appoint, a suitable person to fill such vacancy.

SECTION 5. That the said corporation shall, and may, have a Officers.  
president, a secretary, and a treasurer, to be chosen by the  
said corporation, out of their own number, as often as they  
shall see proper, and according to the rules by them to be pre-  
scribed: *Provided*, That neither the president, the secretary, Not to receive  
nor the treasurer, nor any member of the said corporation, compensation.  
shall receive any pay, or compensation, of any kind, for the  
performance of any service which shall devolve upon them  
as such.

SECTION 6. That seven members of the said corporation Quorum.  
shall be a sufficient number to transact the business thereof,  
and to make by-laws, rules, and regulations.

SECTION 7. That the yearly value of the real and personal Amount of pro-  
estate, of every kind, held and possessed by the said corpo- perty that may  
ration, shall not exceed twelve thousand dollars. be held.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one  
thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 158.

## An Act

To abolish two of the terms of the courts of Warren county, and confer  
further powers on the additional law judge of the Sixth Judicial Dis-  
trict.

SECTION 1. *Be it enacted by the Senate and House of Represen-  
tatives of the Commonwealth of Pennsylvania in General Assem-  
bly met, and it is hereby enacted by the authority of the same,*  
That the February, and August, terms of court, required, by Certain terms of  
law, to be held by the additional law judge, of the Sixth judi- courtabolished.  
cial district, within, and for, the county of Warren, be and the  
same are hereby abolished.

SECTION 2. That it shall be the duty of the additional law Regular terms  
judge, of the Sixth judicial district, to hold the regular terms in Warren coun-  
of the courts of said county of Warren, commencing, respec- ty, when and by  
tively, on the first Monday of September, and the first Monday whom held.  
of March, of each year, and to that end, the said judge shall  
have all the power, and authority, of the president judge; and  
it shall be the duty of the president judge to hold the regu-

lar terms of the courts of said county, commencing, respectively, on the first Monday of June, and the first Monday of December, of each year; and all acts, and parts of acts, inconsistent with the provisions of this act, be and the same are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 159.

## An Act

Relating to hawkers, and pedlers, in the counties of Greene and Montgomery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, entitled "An Act relative to hucksters in Northumberland and Union counties," approved the fourteenth day of April, one thousand eight hundred and sixty, and of so much of the act, entitled "An Act supplementary to an act relating to hawkers, and pedlers, in Washington county," approved the sixteenth day of February, one thousand eight hundred and sixty, as provides for the enforcement of the penalty, be and the same are hereby extended to the counties of Greene and Montgomery.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 160.

**An Act**

Relating to public roads in the township of Clay, in the county of Huntingdon.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That each, and every, person holding real estate in the township of Clay, through which, or adjoining the same, a public road or highway passeth, shall keep in good repair such public road, which will exonerate such persons from road tax, and if a public road be a line between two or more persons, they shall divide the same among them; but if they cannot agree so to divide the same, then, the supervisors shall meet, and divide the same, which shall be final.

Persons keeping in repair public roads adjoining their property, exonerated from road tax.

**SECTION 2.** There shall be five days' notice given to each person having roads to repair, by authority of this act, before they can be indicted; and if they neglect to perform the duty enjoined upon them, after such notice, they shall be subject to a fine of not less than four dollars, or more than ten dollars, for every such neglect, to be collected as other debts are now, by law, collected; the fines, thus collected, shall be paid into the hands of the supervisors.

Notice of repairs to be given.

Penalty for neglect.

**SECTION 3.** All persons holding real estate, having no public road passing through, or adjoining, the same, as well as those holding no real estate, shall be subject to a tax of not less than four mills, nor more than eight mills, on the dollar, upon all property, professions, and occupations, now subject to county rates and levies.

Road tax to be levied upon others.

**SECTION 4.** All moneys arising, by authority of this act, shall be assessed, and collected, by the supervisors, as heretofore, and shall be appropriated in building, and repairing, bridges, and making, and putting up, index boards, foot logs, and hand railing; also, in mending public roads, through unseated lands owned by persons having power to collect the amount from the owners of the same; and no money shall be drawn from the supervisors but by an order signed by the auditors, and countersigned by a justice of the peace of said township.

To be collected by supervisors.

Appropriation of.

How to be drawn.

**SECTION 5.** That the foregoing act shall be submitted to the qualified voters of said township, at the next ensuing election, after the passage of this act, to accept or reject the same.

This act to be voted upon.

**HENRY C. JOHNSON,**

Speaker of the House of Representatives.

**JOHN P. PENNEY,**

Speaker of the Senate.

**APPROVED**—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

**A. G. CURTIN.**

No. 161.

**An Act**

To change the time of holding the election of borough officers, for the borough of Laporte, in Sullivan county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the election for borough officers, of the borough of Laporte, held on the third Friday in February, eighteen hundred and sixty-four, be and the same is hereby declared legal, and of the same effect, as if held on the day designated in the charter of said borough; that the officers, then elected, shall hold their offices until their successors are elected; and that the election for borough officers, of said borough, shall be hereafter held at the same time, and place, fixed for holding the township elections, viz: at Laporte hotel, on the third Friday of February, in each, and every, year.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 162.

**A Supplement**

To an act approved April eleventh, one thousand eight hundred and fifty-six, entitled "An Act relative to the sheriffs of this Commonwealth."

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of assembly, approved April eleventh, one thousand eight hundred and fifty-six, entitled "An Act relative to the sheriffs of this commonwealth," so far as said act relates to the counties of Delaware, Carbon and Bradford, be and the same is hereby repealed; and that compensation for board of



prisoners, in said counties, hereafter, be fixed by a majority of the judges of the court of quarter sessions of said counties: *Provided*, Such compensation shall not exceed thirty-seven cents per day; and this supplement shall apply to all unsettled accounts for board of prisoners.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 163.

## A Further Supplement

To an act to incorporate the Butler House Hotel Company, approved the fourteenth day of March, Anno Domini one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Continental Hotel Company are hereby authorized, and empowered, to lay an iron pipe from their hotel, in the city of Philadelphia, along Ninth street, to Walnut street; thence along Walnut street, to Raspberry alley, to other property belonging to said company: *Provided*, They shall first execute, and file, in the office of the solicitor of the city of Philadelphia, a bond, in the sum of five thousand dollars, with one, or more, sureties, to restore said streets to a good condition, after they shall have laid said pipe.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 164.

**An Act**

To change the time of holding the borough elections in Clearfield county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, changing the time of holding the township elections in Clearfield county, approved the eighteenth day of March, one thousand eight hundred and sixty-three, be and the same are hereby extended to all the incorporated boroughs in said county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 165.

**An Act**

To exempt the Citizens' Volunteer Hospital of Philadelphia from taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the real estate, now occupied as the Citizens' Volunteer hospital, situate at the corner of Broad and Washington streets, in the city of Philadelphia, be and the same is hereby exempt from taxation, so long as the same shall be occupied for that purpose.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 166.

## An Act

To provide for the more accurate indexing of liens against real estate, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the prothonotaries of the court of common pleas, and of the district court of the city and county of Philadelphia, to keep a locality index, in which, shall be registered the street front of real estate, against which, claims are, or shall be, filed, to enforce liens for taxes, municipal work, or of mechanics, and material-men; said index to state the amount of feet front, of said real estate, with the determining distances as they may be stated in said claims; said prothonotaries shall receive, in addition to the fees allowed by existing laws, the sum of twenty-five cents for each claim filed, to defray the expense in keeping said index, which said sum shall be included in the costs, and collected as such; it shall be the duty of said prothonotaries to give certificates of search of all claims filed, as they shall be required by any written order therefor, in which, the property shall be described; for which certificate, for each property, they shall receive the sum of forty cents, inclusive of the stamp required by any act of Congress, and no more.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 167.

## An Act

To legalize and provide for the payment of the bonds issued as bounties to Volunteers, by the county Commissioners of Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Bonds heretofore, or hereafter, issued, as bounties, legalized.

Payment of, relative to.

Commissioners authorized to levy taxes.

Proviso.

Cost of collection, and disbursement.

Exemptions.

Repeal of general bounty act, so far as relates to Venango county.

That all bonds, heretofore issued, or that may hereafter be issued, by the county commissioners of Venango county, for the payment of bounties to volunteers, to enter the military, or naval, service of the United States, under any requisition of the President of the United States, made subsequent to the seventeenth day of October, Anno Domini one thousand eight hundred and sixty-three, if *bona fide* owned by such volunteer, or his heirs-at-law, at the time of presentation, for payment, be and the same are hereby legalized, made valid, and binding, upon said county; but any such bonds, presented for payment, or claimed by any other person than the volunteer, his executors, administrators, or heirs-at-law, shall not be binding on said county, nor shall said commissioners authorize the payment of them, or any part of them, until satisfactory proof be made to said commissioners, of the amount actually paid the volunteer, in whose favor, such bond, or bonds, were issued, and then, no more shall be paid to the holder than the amount so paid, with interest thereon.

SECTION 2. That the commissioners, aforesaid, are hereby authorized, and required, to levy such taxes as may be necessary to meet the payment of said bonds, as they shall become due, which taxes shall be independent of, assessed in the same manner, include the same subjects of taxation, be accounted for in the same way, and collected, and disbursed, in the same manner, as other county taxes, and moneys, are: *Provided*, That no taxable inhabitant shall pay a less sum than one dollar: *And provided also*, That the cost of the disbursement, of said money, shall not exceed one-half of one per centum, and the cost of collection shall not exceed two per centum: *And provided further*, That property, of non-commissioned officers, and privates, in actual service, in the United States army and navy, from this commonwealth, or who died, or were permanently disabled in such service, or, having been in such service, for the space of one year and six months, were honorably discharged therefrom, and the property of widows, and minor children, and widowed mothers, of non-commissioned officers, and privates, who died in such service, shall be exempt from any taxation, under the provisions of this act.

SECTION 3. That an act, entitled "An act relating to the payment of bounties to volunteers," approved the twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four, excepting the fifth section of said act, be and the same is hereby repealed, so far as it relates to Venango county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 168.

**An Act**

To enable the Third National Bank of Philadelphia, to acquire, and hold, certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That nothing contained in the act of assembly of this commonwealth, entitled "An Act relating to corporations, and to estates, held for corporate, religious, and charitable uses," approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five, or in the several acts of this commonwealth, relating to escheats, shall extend to prevent, or prohibit, the Third National Bank of Philadelphia, from acquiring, holding, and conveying, such real estate, as, by the terms of the act of congress, approved the twenty-fifth day of February, Anno Domini one thousand eight hundred and sixty-three, entitled "An Act to provide a national currency, secured by a pledge of United States stocks, and to provide for the circulation, and redemption, thereof," the said bank is authorized, and empowered, to acquire, hold, and convey: *Provided,* That the said bank shall be subject, upon any real estate held by it, to the same assessments, and taxes, for state purposes, as are banks, chartered by the laws of this state.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 169.

**A Supplement**

To an act to incorporate the Consolidated Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Consolidated Coal Company shall have the right to hold, in fee, and by lease, in addition to the amount authorized by the act to which this is a supplement, three thousand acres

Authorized to hold an additional amount of land, and increase capital.

of coal, and timber, land, in the county of Luzerne, and to increase their authorized capital one million five hundred thousand dollars.

Individual liability.

SECTION 2. That the stockholders of said company shall be jointly, and severally, liable to all the provisions, with regard to individual liability, contained in an act, entitled "An Act to encourage manufacturing companies in this commonwealth," approved the seventh day of April, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

Repeal.

SECTION 3. That section twelve of the act, to which this is a supplement, is hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 170.

## An Act

To incorporate the New Brighton Retreat, an asylum for insane females.

Corporators.

Title.

Privileges.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Elijah Kendrick, M. D., B. B. Chamberlain, William W. Irwin, William Kennedy, Benjamin Bedison, and Doctor Thomas F. Robinson, be and they are hereby created, and declared to be, a body politic, and corporate, in law, by the name, style, and title, of the New Brighton Retreat, an asylum for the reception, care, and treatment, of mental alienation, or disorder, and other nervous, and chronic, diseases, exclusively for females; and by that name, to have perpetual succession; to sue, and be sued; implead, and be impleaded, in any court of competent jurisdiction; to have, and use, a common seal, and, at pleasure, to break, alter, and renew, the same; to take, receive, have, hold, and enjoy, lands, tenements, and hereditaments, moneys, goods, chattels, rights, and credits, of what nature, or estate, soever, and the same, or any part, or parts, thereof, to sell, alien, and dispose of, and therefor, when sold, aliened, or disposed of, to execute, seal, and deliver, according to law, good, and sufficient, instruments of conveyance, deeds and assurances, and generally to do all other acts, and enjoy all other powers, and privileges, and make all, and any other contract, or contracts, requisite to the proper con-

duct, and management, of the said New Brighton retreat, and shall have power, also, to make by-laws, and regulations, for the due management of the said retreat, and government thereof, so that the same be not inconsistent with the constitution, or laws, of the United States, or of this state. By-laws.

SECTION 2. The objects of the said corporation shall be for the reception, care, and treatment, of mental alienation, or disorder, and other nervous, and chronic, diseases, exclusively for females; and the said corporation shall be and is hereby empowered to adopt, and execute, all such measures as they may deem proper, and expedient, for the accomplishment of these objects. Objects.

SECTION 3. The control, government, and management, of the said institution, shall be vested in the aforesaid corporation, for the period of one year, or until a board of directors is elected, as is hereinafter provided, three of whom shall be a quorum; and at the meeting immediately preceding the expiration of their said term, they, or a majority of them, shall elect, six successors for one year, and so on, and in like manner, directors shall be elected from year to year thereafter; and in cases of any vacancy, or vacancies, in the said board of directors, by death, resignation, removal from the state, or otherwise, the said directors, or a majority of them, shall have power to fill such vacancy, or vacancies, by the election of another director, or other directors, who shall serve until the next annual election. Management.  
Election of directors.  
Vacancies.

SECTION 4. That no member of the board of directors shall receive any pay, or compensation, whatsoever, for attendance, or discharge of his official duties, as a director. Directors not to receive compensation.

SECTION 5. At all elections for directors, the vote shall be by ballot, and each director shall be entitled to one vote only, and the persons having the highest number of votes shall be declared elected. Votes.

SECTION 6. That the officers of the said corporation shall consist of a superintendent, or chief executive officer, who shall be, for the period of six years, the said Elijah Kendrick, M. D., together with such other officers as the by-laws shall prescribe, all of whom shall be elected by the members of the corporation, at a time, and in a manner, to be regulated by the by-laws. Officers.

SECTION 7. That the estate, and property, of the said retreat, shall be exempt from taxation, so long as the same shall be used, conducted, and employed, for the purposes aforesaid; nor shall the grounds, of the said New Brighton retreat, be subject, or liable, to have any public road, street, lane, or alley, laid out, or opened, through it, so long as the same shall be used, and employed, for the purposes aforesaid. Property exempt from taxation.  
Prohibition as to roads, streets, &c.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 171.

**An Act**

To regulate the taxes on commissions of Prothonotary, et cetera, in Forest county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from, and after, the passage of this act, the state tax, on the commission of the prothonotary, register, and recorder, and clerk, of the courts of Forest county, shall be ten dollars, for the term, for which the present prothonotary, et cetera, has been elected; and that all laws, conflicting with this act, are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 172.

**An Act**

To repeal the Lenox road law, in the township of Harford, Susquehanna county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first section of an act, entitled “An act, extending the provisions of an act, to alter the road laws, in the township of Lenox, in the county of Susquehanna, and for other purposes,” approved the twenty-fifth day of March, one thousand eight hundred and forty-eight, be and the same is hereby repealed, so far as relates to the township of Harford, in the county of Susquehanna.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 173.

**A Supplement**

To an act relating to the collection of state and county taxes, in the county of Bucks.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act, relating to the collection of state and county taxes in the county of Bucks, approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine, as requires the treasurer, of said county, to issue his warrant, and schedule, of unpaid taxes, to the constable, or other person, in the several townships, boroughs, and wards, be and the same is hereby repealed; and it shall, hereafter, be the duty of the said treasurer, that, in case any state, county, or militia, taxes, assessed in any township, borough, or ward, in said county, shall remain unpaid, for a period of twenty days after the first day of August, in each and every year, to make out a schedule of all such unpaid taxes, and the names of the persons to whom the same are charged, and deliver the said schedule to one of the justices of the peace, in said township, borough, or ward, where such taxes remain unpaid; and it shall be the duty of the justice, to whom the said schedule shall be delivered, by the treasurer aforesaid, to immediately deliver a written, or printed, notice to every person, named in the said schedule, living in the township, borough, or ward, or leave the same at their residence, and to notify, by mail, all non-residents, that he has received, from the treasurer, a schedule of the unpaid taxes, and that, if the same is not paid, by the first day of December, following, he will issue execution for the collection of the same; and for the service of all such notices, the said justice shall be allowed ten cents each, to be paid by the delinquent tax-payer.

Repeal of certain provision authorizing constables, &c., to collect unpaid taxes.

Treasurer to deliver lists of delinquents to justices of the peace.

Justices to serve notices.

When execution to issue.

**SECTION 2.** Should any person, or persons, after having been duly notified, as aforesaid, neglect, or refuse, to pay the said taxes, then it shall be the duty of the said justice, and he is hereby required, to add five per cent. to the amount thereof, and issue execution against the delinquent, for the collection of the same, with costs; which execution shall be placed, by the justice, in the hands of any constable, in said county, whose duty it shall be to collect the same, as other debts are now collected by law, and pay the amount, so collected, to the said justice, within thirty days from the date of the execution.

Execution to be placed in hands of constable.

**SECTION 3.** That where there is no personal property, in the district belonging to non-residents, or to be found in the possession of those occupying the premises, it shall be the duty of the justice to certify the same to the county treasurer, who shall make out a certificate of such unpaid taxes, with

In certain cases, certificates of unpaid taxes to be entered by treasurer, as liens.

the addition of five per cent., and enter the same in the prothonotary's office of said county, which shall be a lien against said property, until paid, with cost of entering: *And provided further*, That if any person shall pay his county, or militia, tax to the said justice, on or before the first day of December, he shall be entitled to a deduction of three per cent.

**Proviso.** **SECTION 4.** That upon the delivery, by the county treasurer, of the schedule of unpaid taxes, to any justice of the peace, he shall charge such justice with the whole amount of unpaid taxes, contained in said schedule, in a book to be provided for that purpose, which shall be opened for the inspection of the county commissioners, and auditors; and the said justice shall pay over all such taxes, and additions, to the treasurer, on or before the thirtieth day of December following; and the said justice, and his securities, shall only be discharged from the liabilities of this act, by his paying over the amount of all such taxes, after deducting such exonerations, as may be allowed by the commissioners, for mistakes, indigent persons, and the amount that cannot be collected, by execution, from non-residents, together with two per cent., which shall be allowed said justice, on all moneys collected, and paid over, to the treasurer aforesaid.

**Accounts of justices with treasurer, relative to.** **SECTION 5.** That if any treasurer, justice of the peace, or constable, shall fail to perform any of the duties required of them, by the provisions of this act, he, or they, shall, upon conviction, before any court, forfeit and pay a fine of not less than one hundred dollars, nor more than two thousand dollars, at the discretion of the said court, which shall be recovered in the name of the commonwealth, at the instance of the treasurer, or commissioners, of said county, who shall collect the same, as other debts of like amount are now collected by law; which said fines shall be paid into the treasury, for the use of the county.

**Percentage for collection allowed.** **SECTION 6.** That all acts, inconsistent herewith, are hereby repealed, so far as relates to the county of Bucks.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

**Penalty for neglect of duty by treasurer, justices, and constables.**

**Repeal.**

No. 174.

**An Act**

Authorizing the supervisors of Jones township, Elk county, to construct a bridge across the West Branch of the Clarion river, at Wilcox, in said township.

WHEREAS, By the building of the Philadelphia and Erie rail- Preamble.  
road to the town of Wilcox, in Jones township, Elk county, it became necessary to erect a bridge across the Clarion river, at the said town of Wilcox, in order to reach the station, on said railroad, at that point :

*And whereas*, It became necessary to commence said bridge before the legal steps, to construct said bridge, could be consummated, in the manner prescribed by law ; and the supervisors of said township, at a letting, which was publicly advertised, in said township, did let the same to be built, by the lowest, and best, bidder, and the said bridge is now nearly completed by the person, with whom said contract was made ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That said contract is hereby confirmed, with the same force, and effect, as if said bridge had been built under, and by virtue of, an order of the court of quarter sessions of Elk county, authorizing the construction of the same, according to the acts of assembly, in such cases, made and provided.

Contract for construction of bridge confirmed.

SECTION 2. That the supervisors of said township shall pay, or cause to be paid, to the person building the same, or to his heirs, or assigns, the sum, or price, agreed to be paid, at the letting aforesaid, for constructing said bridge ; and it shall be the duty of said supervisors to levy a tax upon all property made taxable for road purposes, in said township, for the year one thousand eight hundred and sixty-four, and so long thereafter, each year, as shall be necessary, at the rate of ten mills on the dollar, for each year, to be designated in the duplicates as bridge tax, and collect the same in the manner other road tax, in said township, is now collected by law ; which tax, when collected, shall be appropriated to the payment of the debt incurred by said township, for building said bridge, and for no other purpose.

Supervisors authorized to pay for the same, and levy tax therefor.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 175.

**An Act**

Relative to the collection of township taxes, in the county of Tioga.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supervisors of any township, in the county of Tioga, may appoint any person, within said townships, collectors of taxes for said townships respectively, who will give the required security therefor; and anything in the act of assembly, inconsistent herewith, is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The first day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 176.

**An Act**

Relating to the fees of constables in the county of Berks.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from, and after, the passage of this act, the fees of aldermen, justices of the peace, and constables, in the county of Berks, be as follows:

Executing warrant in behalf of the Commonwealth, fifty cents.

Conveying to jail, on *mittimus*, or warrant, arresting a vagrant, disorderly person, or other offender against the laws, (without process,) and bringing before justice, levying fine for forfeiture, on warrant, thirty-five cents.

Taking the body into custody, on *mittimus*, where bail is afterwards entered, before the prisoner is delivered to jailor, thirty-five cents.

Serving *subpœna*, fifteen cents.

Serving summons, notice to referee, suitor, master, mistress, or apprentice, personally, or by copy, each fifteen cents.

Executing attachment, fifty cents.

Arresting on *capias*, fifty cents.

Taking bail bond, on *capias*, or for delivery of goods, thirty cents.

Notifying plaintiff, where defendant has been arrested on *capias*, to be paid by plaintiff, twenty cents.

Executing landlord's warrant, or serving execution, fifty cents.

Taking inventory of goods, each item, two cents.

Levying, or distraining goods, and selling the same, for each dollar, not exceeding thirty, ten cents.

For each dollar, over thirty, five cents.

And one-half, of said commission, shall be allowed, when the money is paid, after levy, without sale ; but no commission shall, in case, be taken on more than the real debt, and then only for the money actually received by the constable, and paid over to the creditor.

Advertising the same, fifty cents.

Copy of vendue paper, when demanded, each item, two cents.

Putting up notice of distress, at mansion house, or other public place, on the premises, twenty-five cents.

Serving *scire facias*, personally, fifteen cents.

Serving same, by copy, twenty cents.

Serving rule, and interrogatories, in attachments of executions, thirty cents.

Executing bail piece, thirty cents.

Traveling expenses, on an execution, returned *nulla bona*, and *non est inventus*, where the constable has been at the place of defendant's last residence, each mile circular, six cents.

Executing order, for the removal of a pauper, seventy-five cents.

Traveling expenses, in said removal, each mile circular, fifteen cents.

Traveling expenses, in all other cases, for each mile circular, actually traveled, counting from the office of the justice to the place of service, six cents.

For making returns to the court of quarter sessions, fifty cents each.

For one day, seventy-five cents.

Mileage for the same, counting from residence of constable to the county seat, to be paid by county, three cents per mile circular, six cents.

For appraisement, and all other services, under exemption act, of ninth of April, one thousand eight hundred and forty-nine, two dollars.

For serving precept, and returning same, in landlord and tenant proceedings, fifty cents.

Executing writ of possession, and returning same, seventy-five cents.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 177.

## An Act

To reduce the number of directors of the Harrisburg, Portsmouth, Mount Joy and Lancaster Railroad Company.

WHEREAS, By a supplement to the charter of the Harrisburg, Portsmouth, Mount Joy and Lancaster Railroad Company, approved June twenty-seventh, Anno Domini one thousand eight hundred and thirty-nine, the number of directors was increased to thirteen :

*And whereas*, By contract, dated December twenty-ninth, Anno Domini one thousand eight hundred and sixty, the road was leased to the Pennsylvania railroad company, on certain terms, and conditions, whereby the necessity for so large a number, no longer exists ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the stockholders of the Harrisburg, Portsmouth, Mount Joy and Lancaster Railroad Company may, at any annual meeting, or meetings, reduce the number of directors until they shall not be less than five, of whom, a majority shall be a quorum for the transaction of business : *Provided*, At such annual meeting, or meetings, a majority of the stock, there represented, shall vote in favor thereof.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 178.

## An Act

To legalize the assessments taken, and taxes levied, in the new county of Cameron.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That all the assessments taken, in the said new county of Cameron, since its organization, including the one now being taken, by virtue of warrants issued by the county commissioners, dated October thirtieth, Anno Domini one thousand eight hundred and sixty-three, be and they are hereby legalized, and made valid, to have the same force, and effect, as though they had been taken, and made, at the time, and in the manner, required by law ; and all the taxes, heretofore, or hereafter, levied, and collected, in pursuance of the laws of this commonwealth, upon the adjusted valuation, as contained in said assessments, are hereby legalized, and made valid, to have the same force, and effect, as though the assessments containing said adjusted valuations had been properly taken : *Provided however,* That it shall be the duty of the commissioners, of said county, to hear appeals from said assessments, at any time when they may be in session, previous to the payment of the tax, and to make such alterations as they might have done, on the regular day of appeal, had such assessments been taken at the proper time, and in a proper manner.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 179.

## An Act

Supplementary to an act appointing commissioners to lay out, and open, a State road in the counties of M'Kean and Elk, approved March twenty-first, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Willis Barrett, A. T. Aldrich, and A. I. Wilcox, commissioners, appointed by act of twenty-first day of March, Anno Domini, one thousand eight hundred and fifty-six, to lay out, and open, a state road in the counties of M'Kean and Elk, within five years from the date of the passage of said act, are hereby required to pay, to the treasurers of the said townships, through which said road passes, for the use of said townships, any unexpended balance that may be in their hands, raised for the purpose of constructing said road, to be divided among said townships, in proportion to the whole amount of money received from said townships, for the purpose aforesaid.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 180.

## A Further Supplement

To an act supplementary to an act to authorize the Wyoming Canal Company, and its creditors, to agree to an adjustment of their respective rights, approved the third day of April, Anno Domini one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the annual election of the president, and managers, of



the Wyoming Valley Canal Company, shall be held on the second Tuesday in February, in each year, instead of the third Wednesday of May, as provided for by the supplement, to which this is a further supplement.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 181.

## An Act

To incorporate Swarthmore College.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Martin, John M. Ogden, Ezra Michener, Mahlon K. Taylor, Thomas Ridgway, James Mott, Dillwyn Parrish, William W. Longstreth, William Dorsey, Edward Hoopes, William C. Biddle, Joseph Powell, Joseph Wharton, John Sellers, Clement Biddle, P. P. Sharples, Edward Parrish, Levi K. Brown, Hugh M'Ilvain, Franklin Shoemaker, and their associates, and successors, forever, be and they are hereby made, and constituted, a body politic, and corporate, under the corporate title of Swarthmore College, and, under that name, shall have perpetual succession, and are hereby empowered, and made capable, in law, to purchase, take, hold, and enjoy, to them, and their successors, lands, tenements, and hereditaments, stock, goods, chattels, and effects: *Provided,* The clear, annual, value thereof, shall not exceed thirty thousand dollars, and to sell, demise, convey, assure, transfer, and dispose of, their estate, or interest therein, and also, to improve, and augment, and apply, the same, with the rents, issues, profits, and income thereof, to the purpose of their institution; and the said corporation, by the name aforesaid, shall, and may, sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all courts of law, and equity, and shall have power to make, have, and use, a common seal, and the same to change, alter, and renew, at their pleasure, and also, to make, and execute, such by-laws, ordinances, and regulations, not contrary to the laws, and constitution, of this commonwealth, as to them shall seem meet.

Corporators.

Title.

Privileges.

Seal.

By-laws.

Objects.

SECTION 2. That the said corporation be authorized to establish, and maintain, a school and college, for the purpose of imparting to persons, of both sexes, knowledge in the various branches of science, literature, and the arts; and the board of managers shall have power to confer upon the graduates of the said college, and upon others, when, by their proficiency in learning, may be entitled thereto, such degrees as are conferred by other colleges, or universities, in the United States.

May confer degrees.

Capital stock.

SECTION 3. That the capital stock, of the said corporation, shall be fifty thousand dollars, divided into two thousand shares, of twenty-five dollars each, with the privilege to increase the same, from time to time, to a sum not exceeding three hundred thousand dollars; and the said school, or college, may go into operation, when the sum of fifty thousand dollars has been subscribed, and the stock shall be transferable, in conformity with the rules, and by-laws, of the corporation.

Stock transferable.

Meetings.

The meetings shall be held annually; twenty-five stockholders shall form a quorum, and special meetings may be called by the managers, at their discretion, and notice shall be given of the annual, and special, meetings of the corporators, at least ten days previous to the time at which they are to be held, by advertisement, in three daily newspapers, one published in the city of New York, one in the city of Philadelphia, and one in the city of Baltimore; the officers of the corporation shall

Election of officers.

be two clerks, a treasurer, and thirty-two managers, all of whom shall be members of the religious society of Friends, and shall be chosen by ballot, from among the stockholders, at their annual meeting, but, in case of failure to elect the officers at the stated time, those in office shall continue, until others are chosen. The clerks shall be, *ex-officio*, members of

Board of managers, their duties, &amp;c.

the board of managers, and eleven members shall constitute a quorum, for the transaction of business. The government, and direction, of the said school, and college, the appointment and employment of professors, and other officers, concerned therewith, and the general management, of the affairs of the college, shall be entrusted to the board of managers, who shall have power to enact such rules, and regulations, not inconsistent with the constitution, and amendments, thereto adopted, by the corporators, as they shall see fit.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-four.

A G. CURTIN.

No. 182.

## An Act

To authorize the macadamizing of the streets, in certain portions of the city of Philadelphia.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the councils of the city of Philadelphia are hereby authorized, upon the petition of a majority of the owners of the ground on any of the streets in the First, Second, Twentieth, Twenty-first, Twenty-second, Twenty-fourth, and Twenty-fifth, wards of the said city, for a continuous distance of not less than one thousand feet, and not already paved, to direct, and provide, that said street, or streets, shall be macadamized in a suitable manner, instead of being paved; and that all laws, and ordinances, in reference to curbing, and paving, in said city, and repairing the same, and for the assessment, and collection, of the cost thereof, be and the same are hereby extended to the curbing, and macadamizing, of any of the streets in the wards aforesaid: *Provided*, That the said councils shall prescribe the width of gutter on said streets, to be paved with flagging, or cobble stones, and that no more than the cost of said work shall be assessed to, and collected from, the owners of the respective fronts upon said streets; which cost shall be established and declared by said councils, as near the actual expense of the same as may be: *And provided further*, That nothing herein contained shall interfere with the curbing, and paving, of any streets already directed to be done by any law, or ordinance.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The first day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 183.

**An Act**

To authorize the raising of money, and payment of bounties to volunteers, in the borough of Scranton, in the county of Luzerne.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob Robinson, Joseph C. Platt, and Thomas Dickson, be appointed commissioners to carry out the provisions of this act, who shall, before entering upon the duties of their appointment, be sworn to perform the same with faithfulness, and impartiality.

Commissioners appointed to carry out provisions of this act.

Authorized to levy taxes for payment of bounties.

**SECTION 2.** That the said commissioners are hereby empowered, from time to time, to levy, and assess, such taxes upon the taxable inhabitants, and property, in the borough of Scranton, in the county of Luzerne, as shall be sufficient to pay a bounty, of not exceeding three hundred dollars each, to so many volunteers, as may be necessary to fill the quota of the said borough under the various calls now made, or that may hereafter be made, during the present rebellion, for men to enter into the military, and naval, service of the United States, and to pay to the said volunteers, such bounties as may, from time to time, be agreed upon.

Assessment of taxables to be adjusted.

Mode of taxation.

**SECTION 3.** That the said commissioners shall, before levying the taxes aforesaid, examine, and adjust, the assessment of the taxables of the said borough, and add to, alter, or amend, the same, as in right, and justice, shall be required; that they shall, from year to year, levy, and assess, upon all real, and personal, estate, offices, trades, professions, and occupations, on all adult male inhabitants, on money at interest, and on other property liable to assessment for state, and county, taxes, within the said borough, such sums as shall be sufficient to pay the amounts required for the bounties aforesaid, and all necessary expenses of levying, collecting, and disbursing the same: *Provided*, That the same shall not be assessed in less than two consecutive years, commencing with the present year, Anno Domini one thousand eight hundred and sixty-four; and that a *per capita* tax of ten, and not exceeding fifteen, dollars, shall be levied on all the taxable inhabitants of the said borough, once in each year, for not exceeding two years.

Proviso.

*Per capita* tax authorized.

Treasurer to be appointed.

To give bond.

**SECTION 4.** That the said commissioners shall appoint one of their own number, or some other suitable person, as the treasurer, who shall, before entering upon the duties of his office, give bond to the burgess and town council, of said borough, conditioned for the faithful performance of his duties, in such an amount, and with such sureties, as shall be approved of by said commissioners.

SECTION 5. That the said commissioners shall give notice, by publication, in two newspapers published in the said borough, that they have made said levy, and assessment, designating the amount of tax assessed against each person, and requiring said persons to call at the office of the said treasurer, and make payment of the same, on, or before, a day certain named therein, and not exceeding three months from the date thereof; that if any person, or persons, shall not pay his, or their, tax, on, or before, the day named in the said notice, the said commissioners shall add thereto, ten per centum of the amount thereof, should the same be paid within one month thereafter; that at the expiration of the said month, the said commissioners shall place the list of the taxes, as aforesaid, then unpaid, in the hands of a justice of the peace, of the said borough, to be selected by them, who shall forthwith issue warrants to some constable of the said borough, directing him to collect the amount of tax so assessed against each person, and an additional amount of fifteen per centum on the amount assessed; said warrants to have the same effect as warrants issued for the collection of township rates, and levies, under, and by virtue of, the thirty-fifth section of the act, approved April fifteenth, Anno Domini one thousand eight hundred and thirty-four.

Commissioners to give notice of amount assessed against each person.

Additions may be made for non-payment, within certain time.

Collection from delinquents, relative to.

SECTION 6. That the said commissioners are hereby authorized to issue bonds, signed by them, and sealed with the seal of the said borough, for the amount that may be necessary to be used for the purpose aforesaid: *Provided*, That said bonds shall not be issued in less sums than twenty-five dollars each, and shall be payable in not exceeding five years from the date hereof, with interest thereon, at a rate not exceeding seven per centum per annum; for which, coupons may, or may not, be attached, at the pleasure of the commissioners; and that the said commissioners shall apply the moneys collected, upon the said taxes, to the payment of the said bonds, so soon as can conveniently be done, after the same shall be collected.

Commissioners to issue bonds.

Proviso.

SECTION 7. That all persons, who have heretofore, since the first day of January, Anno Domini one thousand eight hundred and sixty-four, paid any sum, or sums, of money, not less than twenty-five dollars, for the purpose of paying bounties to volunteers, in the said borough, as aforesaid, shall be entitled to receive, from the said commissioners, bonds for the amounts so paid by them.

Individual subscription, heretofore made, to be re-paid with bonds.

SECTION 8. That the said commissioners are hereby authorized, in lieu of receiving money from the persons, against whom said taxes shall be assessed, to receive bonds for the same, or to receipt the amount of said taxes, upon any one, or more, of the said bonds, held by said persons, taking, also, a duplicate receipt, for the same.

Bonds may be received in lieu of taxes.

SECTION 9. That no tax, as aforesaid, shall be collected on the person, or property, of any non-commissioned officer, or private, dying, or disabled, or who shall have served two years in the military, or naval, service of the United States, or of the widow, or minor children, of such non-commissioned officer, or private.

Exemptions

Repeal.

SECTION 10. That all acts, and parts of acts, inconsistent with this act, are hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 184.

## An Act

Supplementary to an act, which was supplementary to an act incorporating the Pittsburg and Steubenville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the third section of an act, entitled “An Act supplementary to an act incorporating the Pittsburg and Steubenville Turnpike Road Company,” approved on the first day of May, in the year of our Lord, one thousand eight hundred and sixty-one, be and the same is hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 185.

**An Act**

To authorize the Philadelphia and Erie Railroad Company to issue, to the city of Erie, the stock of said railroad company, in exchange for the bonds of said city.

WHEREAS, The councils of the city of Erie have subscribed three hundred thousand dollars, to the stock of the Sunbury and Erie, now Philadelphia and Erie, Railroad Company, and have issued bonds, of the city of Erie, to that amount : Preamble.

And whereas, The stock, so subscribed for, is specifically pledged for the redemption of said bonds, and cannot be transferred, unless for the liquidation of said bonds :

And whereas, It may be for the mutual interest of the city of Erie, and the holders of said bonds, that the restriction to the transfer of said stock be removed ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the city of Erie be and is hereby authorized to issue bonds, or other evidences of indebtedness, in exchange for the bonds issued to the Sunbury and Erie, now Philadelphia and Erie, Railroad Company, in payment for the stock of said company, subscribed for, by the said city of Erie. City of Erie authorized to issue bonds, in exchange for certain.

SECTION 2. That the Philadelphia and Erie Railroad Company be and is hereby authorized, upon the mayor, or other duly authorized agent, of the said city, producing to said company a bond, or bonds, issued by said city, in payment for stock of the Sunbury and Erie, now Philadelphia and Erie, Railroad Company, subscribed for, by the city of Erie, to issue, from time to time, as required, an amount of the stock of the Philadelphia and Erie Railroad Company, equal to the bond, or bonds, thus presented, and endorse upon the said bond, or bonds, and upon the certificate for three thousand shares of the stock of the said railroad company, issued to the city of Erie, for the three hundred thousand dollars subscribed, by the city of Erie, to the capital stock of the said railroad company, the amount, date, and number, of the certificate of stock of said Philadelphia and Erie Railroad Company, thus issued, and which stock, of the Philadelphia and Erie Railroad Company, may then be transferred, by the city of Erie, discharged from the lien aforesaid. Philadelphia and Erie Railroad Company to issue stock therefor.

SECTION 3. That the councils, of the city of Erie, are hereby authorized to appoint one, or more, trustees, to whom, the stock thus issued, by said railroad company, shall be delivered, and whose duty it shall be to sell said stock, under the direction of councils, for the highest price that can be obtained for the same, and to apply the proceeds, thereof, to the payment of the bonds issued, under the provisions of this act, *pro rata*, and to no other purpose whatever : *Provided, That* Councils of Erie to appoint trustees to sell said stock.

Proceeds to be applied to payment of bonds. Proviso.

Trustees to give bonds. the said stock shall not be sold, or transferred, at less than seventy cents on the dollar: *And provided further*, That said trustee, or trustees, before receiving any part of said stock, shall give bond, with one, or more, sufficient sureties, in such amount as the councils shall direct, conditioned for the faithful performance of his, or their, trust.

Trustees and councils prohibited from appropriating proceeds of sale to any other purpose. SECTION 4. That if said trustee, or trustees, shall, or do, appropriate said stock, or the proceeds thereof, to any other purpose than for the *pro rata* redemption of the aforesaid bonds, he, or they, so appropriating the same, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be imprisoned, not exceeding one year, and fined, not less than one thousand dollars, or both, or either, at the discretion of the court; and any member, of either branch of the councils, of the city of Erie, who shall vote for any ordinance, or resolution, having for its object the appropriation of said stock, or the proceeds thereof, to any other purpose than the redemption of said bonds, shall be deemed guilty of a misdemeanor, and shall, on conviction, be subject the penalty, hereinbefore mentioned.

Penalty. SECTION 5. That the said trustee, or trustees, may exchange said stock for bonds, at the option of the bondholder, at the market price of said stock, at the time of transfer, said price not to be less than seventy cents on the dollar.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 186.

## An Act

To incorporate the Hamilton Park Association, of the Twenty-fourth ward, Philadelphia.

Corporators. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Henry B. Fussell, Clarence H. Clark, Samuel A. Harrison, Anthony J. Drexel, Henry C. Lea, O. Wilson Davis, Henry C. Townsend, Nathaniel B. Browne, Charles M. S.



Leslie, Samuel Field, William M. Levick, their associates, and successors, be and they are hereby created a body politic, and corporate, by the name, style, and title, of the Hamilton Park Association, to have perpetual succession; to be capable, in law, of suing, and being sued; to have a common seal, and the same, to alter, or renew, at pleasure; and to have, hold, receive, enjoy, and take, in fee simple, or any less estate, or upon lease from year to year, or for a period of years, any real estate in the Twenty-fourth ward of the city of Philadelphia, in this state, not exceeding, in quantity, fifty acres, and, also, such personal estate as may be deemed, by them, necessary for the purposes hereinafter stated, with full power, and in like manner, to sell, mortgage, lease, and convey, the said real, or personal, estate, or any part thereof, and generally to possess the powers, and privileges, of a corporation. Title.  
Privileges.

SECTION 2. That the object of said association shall be to provide, improve, keep, and maintain, within the said ward, one, or more, pieces of land, not exceeding, in the aggregate, fifty acres; and with the necessary personal estate of a clear, yearly, income, together, not exceeding five thousand dollars, for the purpose of a park, by enclosing, laying out, and constructing walks, and drives, planting, and otherwise embellishing, said grounds; and for that purpose, the said association shall have power, from time to time, to make all necessary regulations, and to prescribe the terms of admission to said park: *Provided however*, That nothing herein contained shall be construed to permit horse racing, either by running, or trotting, or any unlawful sports, or exhibitions, on said premises. Objects.  
Prohibition.

SECTION 3. That if the said association shall deem it necessary, their property, as aforesaid, shall be represented by a capital stock, the amount of which shall be determined by them, but not to exceed one hundred thousand dollars, divided into shares of one hundred dollars each, in such form, and to be issued, and transferred, in accordance with such by-laws, as the said association may establish. Capital stock.

SECTION 4. That the affairs of said association shall be managed by a board of managers, of eleven members; and they shall hold office for one year, or until their successors shall be duly chosen, and qualified; and until said board shall be elected, the persons, named in the first section of this act, shall be the managers of said association, and shall have power, and authority, as such, and to frame the necessary by-laws; the said board shall elect a president, secretary, and treasurer, from among themselves, and such other officers as may be required. Board of managers.  
Corporators to act as such, until election.  
Officers.

SECTION 5. That the said board shall be elected, annually, by ballot, by either stockholders, or annual contributors, of said association, or both, and in such manner, and at such time, as shall be directed by the by-laws; and at such elections, and at all general, or special, meetings, of the corporation, held in pursuance of the by-laws, the stockholders, present in person, or by proxy, shall severally be entitled to one vote, for each share of stock held by them, and each contributor to one vote, if his contribution, for the ensuing year, shall have been first Election of managers.  
Votes.

Proviso.

paid : *Provided*, That no stockholder shall be entitled to more than twenty-five votes, upon any stock held by him.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 187.

## An Act

Supplementary to an act to incorporate the Chestnut Hill and Cheltenham Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Chestnut Hill and Cheltenham Railroad Company are hereby allowed three years, from the first day of April, Anno Domini one thousand eight hundred and sixty-four, to commence said road; and that they be and hereby are authorized to extend their road from, or near, Edge Hill, to the Philadelphia, Germantown, and Norristown road, with the right to connect therewith.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 188.

**An Act**

To incorporate the Juniata Steamboat Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Alexander M. Lloyd, Samuel Dean, John K. Neff, Samuel Isett, Samuel R. Schmucker, Daniel Houtz, and John R. Hunter, be and they hereby are appointed commissioners, to receive subscriptions, and organize a company, in Blair and Huntingdon counties, under the name, style, and title, of the Name. **Commissioners.**  
Juniata Steamboat Company.

SECTION 2. That the corporation, hereby erected, shall have **Powers.** power to build, purchase, and equip, furnish, establish, and run, a steamboat, or boats, on the Pennsylvania canal, if they can agree with the Pennsylvania railroad company, for that purpose, for carrying, and transporting, passengers and freight, to and from Hollidaysburg, in the county of Blair, to Petersburg, or Huntingdon, Huntingdon county, and to, and from, any, and all points, or places, between Hollidaysburg and Petersburg, or Huntingdon, accessible by said vessel, or vessels.

SECTION 3. That the stockholders, and subscribers, of the aforesaid company, with their successors, shall be and the same are hereby created a body corporate, and politic, in law, and shall be able, and capable, in law, of suing and being sued, under the name, and style, aforesaid, and shall enjoy all other powers, and privileges, incident to a corporation. **Corporate privileges.**

SECTION 4. That the capital stock, of said company, shall **Capital stock.** be ten thousand dollars, with the privilege of increasing the same to twenty thousand dollars, by a vote of a majority of the stockholders, at a meeting to be called for that purpose, to be divided into shares of twenty-five dollars each, and that the said commissioners shall have power to organize said company, when stock to the amount of five thousand dollars shall **When the company may be organized.** have been subscribed.

SECTION 5. That the affairs of said company shall be managed by a board of five directors, one of whom shall be president, to be chosen by said board; the election of directors shall be held annually, at such place, and at such time, as may be determined by said company, and all elections shall be by ballot, and every share of stock shall be entitled to one vote; and, in case of failure to hold an election, the former directors shall continue in office, until their successors shall be duly chosen; and the stockholders of the said company shall have power, at a meeting called for that purpose, to make all needful regulations, and by-laws, for the transfer of stock, and the **Election of directors.**  
**Votes.**  
**By-laws.**

## LAWS OF PENNSYLVANIA,

general, and other, management of the business of the said corporation.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred sixty-four.

A. G. CURTIN.

No. 189.

## A Supplement

To an act to incorporate the First Reformed Congregation of the borough of York, and its vicinity, passed the fourteenth day of March, one thousand eight hundred and forty-nine.

Preamble.

WHEREAS, It has been deemed expedient to separate the two sections of the First Reformed Congregation of the borough of York, and its vicinity, and erect them into distinct congregations, independent of each other, in accordance with certain agreements, mutually made by the said sections, and approved by a congregational meeting, held, after due notice given, on the ninth day of November, one thousand eight hundred and sixty-three; therefore,

Incorporation of  
the English sec-  
tion of the  
church.

Title.

Privileges.

Subject to.

Present officers  
to continue, un-  
til expiration of  
their respective  
terms.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the members of the English section, of the said congregation, be and the same are hereby created a body corporate, in deed, and in law, under the name, and title, of the First Reformed Congregation of the borough of York, and its vicinity, to have, hold, and enjoy, all and singular, the rights, privileges, and immunities, granted, and conferred, by an act to incorporate the First Reformed Congregation of the borough of York, and its vicinity, passed the fourteenth day of March, one thousand eight hundred and forty-nine, and the several supplements thereto, subject, nevertheless, to the obligations, and restrictions, imposed by the said act, and its several supplements.

SECTION 2. The present trustees of the congregation, and the present elders, and deacons, of the English section, aforesaid, shall continue to hold their respective offices, and discharge the duties thereof respectively, in the congregation incorporated by this act, during the remainder of the term, or terms, for which they are severally chosen, and until their

respective successors in office are elected, and installed, when, by the custom of the German Reformed church, in the United States, installation is required.

SECTION 3. All such parts, or portions, of the act, and its supplements, hereinbefore referred to, which relate to a division of the congregation into two sections, or refer to a German section, are hereby repealed, and the residue of the said act, and of its supplements, is hereby continued in force, to be regarded, and construed, as relating, and referring, to the First Reformed Congregation of the borough of York, and its vicinity, incorporated by the first section of this act.

SECTION 4. The congregation, incorporated by this act, shall be entitled to receive, hold, use, and apply, according to the intention, or instruction, of the donor, or decedent, any gift, bequest, or legacy, given, bequeathed, or devised, in, or by, any last will and testament, or otherwise given, or donated, to the English section of the German Reformed Congregation of the borough of York, and its vicinity; and no defeat the intention, or purpose, of any such donor, or decedent.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No 190

## An Act

To incorporate the Union League of Philadelphia.

WHEREAS, An association has been formed in the city of Philadelphia, for the purposes of fostering, and promoting, the love of Republican Government, aiding in the preservation of the Union of the United States, and extending aid, and relief, to the soldiers, and sailors, of the army, and navy, thereof; and are desirous of being incorporated, the better to enable them to carry out said purposes; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William M. Meredith, John B. Myers, Horace Binney, junior, Adolph E. Borie, Morton M. Michael, J. I. Clark Hare, Benjamin Gerhard, James L. Claghorn, Charles Gibbons, George H. Boker, William H. Ashurst, Joseph B. Townsend,

George Whitney, John B. Kenney, John A. Brown, Stephen Colwell, Charles Gilpin, J. Gillingham Fell, N. B. Browne, Samuel C. Perkins, Benjamin H. Brewster, Lindley Smyth, Daniel Dougherty, George Trott, William Sellers, and such other persons, as have been, or may hereafter be, associated with them, for the purposes of said association, are hereby erected into, and declared to be, a body politic, and corporate, by the name, style, and title, of the Union League of Philadelphia, and by the same style, and title, shall have perpetual succession; and may purchase, take, and hold, by gift, grant, demise, bargain, and sale, devise, and bequest, or by any other lawful mode of conveyance, any lands, tenements, goods, chattels, and estate, real, personal, or mixed, and the same, or any part thereof, from time to time, may sell, alien, mortgage, or otherwise dispose of; and may have a common seal, which they may alter, and renew, at their pleasure: *Provided*, That the clear yearly value, or income, of all the estate, and property, of the said corporation, including interest on all moneys by them lent, shall not exceed the sum of ten thousand dollars, exclusive of the real estate in the actual occupancy of the corporation.

**Officers, election of, &c.** SECTION 2. That the officers of the said corporation, hereafter to be elected, shall be a president, four vice presidents, and fifteen directors, who shall choose, and appoint, from their own number, a secretary, and, also, a treasurer; the said officers shall be elected at an annual meeting, to be held on the second Monday of December, and if an election be not held on that day, the corporation shall not, for that cause, be dissolved, but an election shall be held as soon thereafter, as possible, and until such new election shall take place, the former officers shall continue, and hold over.

**Duties and rights of members, powers of officers, &c., to be regulated by by-laws.** SECTION 3. That the duties, and rights, of the members of the said corporation, the powers, and functions, of the officers thereof, the mode of supplying vacancies in office, the times of meeting of said corporation, or its officers, the number which shall constitute a quorum thereof, respectively, at any such meetings, the mode of electing or admitting members, the terms of their admission, and the causes which justify their expulsion, and the manner of effecting the same, and the mode, and manner, in which the property of said corporation shall be divided, and appropriated, in case of a dissolution of said corporation, or winding up of its affairs, shall be regulated by the by-laws, and ordinances, of said corporation, which they are empowered to make, and alter, in the manner which may be therein mentioned: *Provided*, That the said by-laws, and ordinances, shall not be repugnant to, or inconsistent with, the constitution, and laws, of the United States, or of this commonwealth.

**Present officers to continue, until next annual election.** SECTION 4. That the following officers, elected by the said association, at its annual meeting, in December, one thousand eight hundred and sixty-three, shall hold their respective offices, under this charter, until the next annual election, in December, one thousand eight hundred and sixty-four; and that any vacancies, occurring therein, before the next annual meeting, may be filled in the manner provided in their

**Vacancies.**

by-laws, to wit: President, William M. Meredith; vice presidents, William H. Ashurst, John B. Myers, Horace Binney, junior, Adolph E. Borie; directors, Morton M'Michael, J. I. Clark Hare, Benjamin Gerhard, James L. Claghorn, Charles Gibbons, George H. Boker, Joseph B. Townsend, George Whitney, John B. Kenney.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 191.

## An Act

Authorizing the acting executor of Michael Allen, deceased, to sell and convey certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Francis G. Bailey, or the acting executor of Michael Allen, late of the city of Pittsburg, county of Allegheny, commonwealth of Pennsylvania, deceased, be and hereby is authorized, and empowered, to convey, by deed, or deeds, duly and properly executed, to the purchasers thereof, any real estate, wherever situated, which the said Michael Allen owned, or held, in his lifetime, with George Grant, (who, with said Allen, composed the firm of Allen & Grant,) or, in connection with James Adams, George Grant, and James S. Craft, (who, with said Allen, composed the firm of Adams, Allen & Company,) which the said Allen may, in his lifetime, have, in any manner, agreed to sell, or convey, but died without having made such conveyance; and the said Bailey, or acting executor, as aforesaid, is further authorized, and empowered, to sell, at public, or private, sale, for the best price that can be obtained for the same, and convey to the purchasers thereof, by deeds properly executed, any real estate, which the said Michael Allen may have owned, or held, at the time of his death, in connection, or manner, aforesaid, but which he had not agreed to sell, or convey, he, the said Bailey, or acting executor, first giving security, in such amount, and manner, as the orphans' court, of said Allegheny county, shall approve, for the faithful performance of his trust, and the payment to the

## LAWS OF PENNSYLVANIA,

heirs of said Michael Allen, deceased, or the persons claiming under them, according to their respective rights, of the proceeds of such sales, and conveyances, after deducting the expense of executing his trusts, under this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 192.

## A Supplement

To an act to incorporate the Kersey Oil and Mineral Company, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the capital stock of the Kersey Oil and Mineral Company be and the same is hereby increased, to twenty thousand shares, and that the said company shall be authorized to build a railroad from their works, to intersect any other railroad now constructed, or hereafter to be constructed: *Provided, That* said railroad shall not exceed thirty miles in length: *And provided further,* That the said company shall be subject to all the provisions, and restrictions, of the act regulating railroad companies, approved nineteenth February, one thousand eight hundred and forty-nine, and the several supplements thereto.

SECTION 2. That the seventh section of the charter of the Kersey Oil and Mineral Company be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

Capital stock increased.

Authorized to construct railroad.

Proviso.

Subject to.

Repeal of certain section.



No. 193.

*An Act*

To change the name of the North American Shaft Company, and to increase the number of shares of its stock, and reduce the par value of each share.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

That the name, style, and title, of the North American Shaft Company, be and the same is hereby changed, and the said corporation shall hereafter be known by the name of the Mammoth Vein Shaft Company, with all the rights, privileges and immunities, and subject to all the restrictions, not herein modified, of the act incorporating said company. Name changed.

SECTION 2. That it shall be lawful for the said company to reduce the par value of the shares of its stock, to ten dollars each; and to increase the number of shares thereof, so that their aggregate value shall be the same, in amount, as that authorized by the original charter. Number of shares may be increased, and par value reduced.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 194.

*A Supplement*

To an act to incorporate the Lafayette Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That the time, required for commencing the construction of said Lafayette railroad, is hereby extended for the further term of three years. Time for commencing extended.

SECTION 2. The said Lafayette Railroad Company are hereby authorized to construct their railroad from the coal mines, in Hamlin and Lafayette townships, in the county of M'Kean, &c. Authorized to construct road from coal mines, &c.

to connect with the M'Kean railroad, and navigation, at the nearest practicable point, in said county.

Board of managers.

SECTION 3. That the board of managers, of said company, shall consist of a president, and four directors; and said company is hereby exempted from so much of the provisions of the third section of the act of February nineteenth, one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies," as requires the president, and a majority of the directors, to be resident citizens of this commonwealth.

Residence of directors, relative to.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 195.

## A Supplement

To an act to incorporate the Union Coal and Iron Company, approved May fourth, one thousand eight hundred and fifty-seven.

Corporate name changed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

That the name, style, and title, of the Union Coal and Iron Company, in Centre and Clearfield counties, as fixed in the act incorporating said company, approved the fourth day of May, one thousand eight hundred and fifty-seven, be changed, and the same shall henceforth be known as the Osceola Coal Company, and in which name, books shall be opened, certificates of stock issued, and the business of the company conducted.

Additional corporators.

SECTION 2. That Joseph Stone, Amasa Stone, junior, P. Wright, and Edward Blanchard, are hereby added as corporators in said company.

Number of directors fixed.

SECTION 3. That the directors of said company shall consist of not less than five, nor more than seven, in lieu of the number provided for by section third of said act, to which this is a supplement.

Value of shares changed.

SECTION 4. That the said company be and are hereby authorized, to change the shares of stock, from twenty dollars each, to one hundred dollars each; and that the capital stock, of said company, shall consist of two thousand shares, with

the privilege of increasing the same to six thousand shares; and that so much of section second, of the act to which this is a supplement, as conflicts herewith, be and the same is hereby repealed. Capital stock may be increased.

SECTION 5. That the subscriptions to the capital stock, of said company, may be paid in real, or personal, estate, appropriate to the business contemplated by this act, at a valuation to be agreed upon by a majority, in interest, of the stockholders, for which, certificates of stock shall be issued, to be assignable, and transferable, on the books of the company; and the said corporation may issue interest bearing bonds, with, or without, coupons attached, secured by mortgage, or otherwise, on a part, or the whole, of their real estate, or effects, as may be agreed upon by a majority of the stockholders, at a meeting, called for that purpose; that they may sell the said bonds, at their market value, notwithstanding it may be less than par; but no bond shall be issued for a less amount than one hundred dollars. Subscriptions, relative to. Certificates of stock transferable. May issue bonds.

SECTION 6. That the said company shall have the right to manufacture, sell, and dispose of lumber, and square, and round, timber, in addition to the privileges granted by section first, of the act to which this is a supplement. Authorized to manufacture, and sell, lumber, &c.

SECTION 7. That the acts of assembly, approved the fourth day of May, one thousand eight hundred and fifty-seven, be and the same are hereby re-enacted, and continued in force, until the first day of April, one thousand eight hundred and ninety-three. Certain acts of assembly continued in force.

SECTION 8. That section sixth of the act, to which this is a supplement, be and the same is hereby repealed. Repeal of certain section.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 196.

## An Act

To incorporate the Tulpehocken House of Germantown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Huber, Stephen Coulter, Jonathan Livezy, Charles E. Idell, Charles N. Johnson, Thomas Gummey, Alfred C. Corporators.

Name.	Harmer, Sylvester Wunder, and their associates, and all persons, who may now, or hereafter, be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be a body politic, or corporate, by the name, and style, of the Tulpehocken House of Germantown, to have perpetual succession; to be capable, in law, of suing, and being sued; to
Privileges.	have a common seal, and the same to alter, and renew, at pleasure; and shall have power to lease, purchase, and hold, real, and personal, estate, in the Twenty-second ward of the city of Philadelphia, and to erect a suitable building, and improvements, on any part of the said real estate, with all needful furniture, for the accommodation of families, and individual boarders, and to furnish the same, and to transact all such business as may be incident to the erecting, managing, leasing, furnishing or conducting, said premises, or otherwise disposing of the same.
Capital stock.	SECTION 2. Said corporation shall have a capital stock of one hundred thousand dollars, which shall be divided into shares of two hundred and fifty dollars each, which shall be transferable, in such manner as the by-laws of said corporation may direct; and each share of the said capital stock shall entitle the owner, thereof, to one vote, at all meetings of the stockholders, which may be given either by proxy, or in person; and shall have privilege to borrow, upon bonds of company, one-half amount of capital.
Transferable.	SECTION 3. The directors shall be elected from the stockholders, in such manner as the by-laws, of said corporation may prescribe, and shall not be less than five in number, and shall, with all other officers of said corporation, hold their offices until others are elected, and duly qualified.
Votes.	SECTION 4. The directors shall, annually, in the month of January, of each year, submit, to the stockholders of said corporation, a written statement of the affairs of the same, verified by the affidavit of the acting president; and no dividend shall be paid to the stockholders, except from a clear surplus in hand, after the payment of all debts, and liabilities, of said corporation.
May borrow upon bonds.	SECTION 5. That when one hundred shares of stock shall have been subscribed, and five dollars per share been paid in cash, they shall be privileged to organize their company, and procure letters patent; and a majority of the corporators are hereby constituted commissioners with power to open books, and take subscriptions, for the said capital stock, in such manner as they may deem expedient, at such time, and place, as they may designate, by notice published for at least one week previous thereto, in one of the newspapers of the city of Philadelphia.
Election of directors.	
Directors to submit annual statement to stockholders.	
Dividends.	
When letters patent to be issued.	
Subscriptions to stock.	

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 197.

**An Act**

To open Coral street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That, within one month after the approval of this act, the court of common pleas shall appoint three commissioners, whose duty it shall be to lay out, and open, Coral street, north of Huntingdon, to the intersection of Frankford road, in the city of Philadelphia, and all damages shall be assessed, as is now provided for by existing laws; and, within one month after the report of the said commissioners, the chief commissioner of highways shall put the said street in good traveling order.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do hereby certify, that the bill, No. 175, entitled "An Act to open Coral street, in the city of Philadelphia," was presented to the governor, on the seventeenth day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 1, 1864.

No. 198.

**An Act**

Relative to the Commissioners of Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Compensation  
of commission-  
ers increased.

That the commissioners of Lancaster county shall have, for their services, the sum of three dollars per day, for each and every day that they, and each of them, may be officially engaged, and in addition thereto, shall be allowed mileage, at the rate of ten cents for each and every mile that they may travel, in the discharge of their official duties.

Repeal.

SECTION 2. That all act, or acts, inconsistent herewith, are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do hereby certify, that the bill, No. 306, entitled "An Act relative to the commissioners of Lancaster county," was presented to the governor on the fifteenth day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 1, 1864.

No. 199.

## An Act

Relating to the opening of streets, and payment of damages therefor, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Juries autho-  
rized to inquire  
as to advan-  
tages accruing  
to property  
owners by open-  
ing of streets.

That when any street, in the city of Philadelphia, is ordered to be opened, in accordance with law, the jury appointed to assess the damages for said opening, after having determined the amount of said damages, and to whom they shall be paid, shall, also, make inquiry as to the advantages of opening said street, to property in the immediate vicinity of the same; and said jury shall determine what amount of the damages, if any, shall be paid by the city of Philadelphia, and what amount, if any, shall be paid by the property owners benefitted.

Properties  
benefitted to  
be specified.

SECTION 2. If the jury determine that the property owners shall pay said damages, or any part thereof, it shall specify

the properties benefitted, and state the amount each is benefitted ; and due notice having been given, by advertisement, or otherwise, as the court may direct, of the award of the jury in the case ; when said award is confirmed by the court, the street shall forthwith be opened by the proper authorities of the city of Philadelphia ; and said city shall pay, to the respective owners of the property damaged, or their legal representatives, the damages so assessed for said opening.

SECTION 3. When the court has confirmed the award of the jury as aforesaid, the solicitor of the city of Philadelphia shall notify the property owners benefitted, of the amount assessed against the property of each, and have delivered to them bills for the sum so assessed ; and if said assessments are not paid, within thirty days after the delivery of the bill, said solicitor shall, without delay, file a claim in the proper court, for the amount thereof, against said property, which claim shall be a lien against the premises assessed, and shall be collected in the same manner as municipal claims are now, by law, collected.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

We do hereby certify, that the bill, No. 111, entitled "An Act relating to the opening of streets, and payment of damages therefor, in the city of Philadelphia," was presented to the governor on the fifteenth day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him ; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, April 1, 1864.

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No. 200.

## A Supplement

To an act to incorporate the North-West Portage Railroad Company, approved the first day of March, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Time for commencing road extended.  
Gauge.

Board of managers.

Commissioners in lieu of those named in the original act.

Authorized to hold lands.

May lease or sell the same.

Repeal of provision requiring a majority of directors to be residents of the state.

Repeal of certain section.

That the time for commencing the railroad, authorized by the act, to which this is a supplement, be and the same is hereby extended three years, from the passage of this act: *Provided*, The gauge of the said road shall not exceed four feet ten inches.

SECTION 2. That the board of managers, of said company, shall consist of a president, and four directors, and Arch F. Jones, Joseph Maun, Sobaski Ross, Charles S. Jones, A. M. Benton, F. H. Arnold, H. I. Ohmsted, George R. Moore, and Andrew Archibald, be and they are hereby constituted commissioners, in lieu of the commissioners named in the first section of the act, to which this is a supplement, any five of whom may open books receive subscriptions, and organize a company, as provided by said act.

SECTION 3. That the said company shall have power to hold lands in the counties of McKean, Potter, and Elk, or either of them, by gift, purchase, or otherwise, not exceeding five thousand acres, in quantity, at any one time, and the same to lease, grant, sell, and convey, upon such terms, and at such times, and in such quantities, as shall be agreed upon, between the said company, and such person, or persons as shall become a purchaser, or purchasers, of any, or all, of said lands, and to cause the president, of said company, to sign, and affix, the corporate seal of said company, attested by the treasurer, to any covenant, deed, or other assurance, necessary in law, for granting title to the same, as often as all, or any, portion of said lands are sold, or otherwise disposed of.

SECTION 4. That so much of the third section of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine, as requires a majority of the directors to be resident citizens of this commonwealth, is repealed, so far as the same relates to this company; and the board of directors may meet, for the transaction of business, at such place, within this commonwealth, or elsewhere, as they may deem expedient.

SECTION 5. That section sixth, of the act to which this is a supplement, be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do hereby certify, that the bill, No. 291, entitled "A supplement to an act to incorporate the North-West Portage Railroad Company, approved the first day of March, one thousand eight hundred and fifty-nine," was presented to the governor, on the fifteenth day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 1, 1864.



No. 201.

**An Act**

To increase the compensation of the directors of the poor, and house of employment, in the county of Franklin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from, and after, the passage of this act, the directors of the poor, and of the house of employment, of the county of Franklin, shall receive, from the county treasury, each, a yearly salary of one hundred dollars, in lieu of the compensation now allowed them by law; the first payment to be made on the first Monday of November, Anno Domini one thousand eight hundred and sixty-four.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

We do certify, that the bill, No. 128, entitled "An Act to increase the compensation of the directors of the poor, and house of employment, in the county of Franklin," was presented to the governor on the sixteenth day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, April 1, 1864.

No. 202.

**An Act**

To increase the compensation of the county commissioners of Franklin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from, and after, the passage of this act, the county commissioners of Franklin county shall each receive, out of the county treasury, the sum of two dollars and fifty cents, for each and every day necessarily employed by them, or either of them, in attending to the duties of their office.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

We do certify, that the bill, No. 127, entitled "An act to increase the compensation of the county commissioners of Franklin county," was presented to the governor on the fifteenth day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, April 1, 1864.

No. 203.

## An Act

To incorporate the Agricultural Chemical Company.

Preamble.

WHEREAS, The waste of factories, chemical works, slaughter houses, night soil, and sewerage, of cities, is a great loss to agriculture, and is detrimental to the general health of the people:

*And whereas*, The utilizing of the immense fertilizing ingredients, there lost, would greatly promote the interests, and benefit agriculture, and be of incalculable advantage to the public health as a sanitary measure:

*And whereas*, Certain citizens of this commonwealth have associated themselves together for the purpose of utilizing the filth, and debris, of cities, by collecting, deodorizing, and chemically treating, and manipulating, the same, and rendering it entirely inoffensive, a rich, highly valuable, and cheap, fertilizer, by means of various chemicals, and patented processes, and methods, for the general public good; therefore,

Corporators.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That R. B. Fitts, Abel S. Small, John W. Thackara, William M. Parham, John S. Thackara, George P. Fitts, John Schafer, Arthur Hughes, William Faunce, Theo. M. Apple, Lewis

Eckel, and their successors, and all persons who are, or who may hereafter be, associated with them, be and they are hereby created, and erected into, a body politic, and corporate, in deed, and in law, by the name, style, and title, of the Agricultural Chemical Company, and by that name, shall have perpetual succession; and shall be able to sue, and be sued, to plead, and be impleaded, in all the courts of record, and elsewhere, and shall be capable, in law, and in equity, to receive, take, and hold, by purchase, gift, demise, or bequest, for the use of the said corporation, lands, tenements, hereditaments, and estates, both real, and personal, wherever situated: *Provided*, That the said corporation shall not hold, by purchase, real estate of a greater yearly value than ten thousand dollars, and the same to grant, bargain, sell, and assign, in fee simple, or for any less estate, as to the said corporation, may seem proper; and to make, and have, a common seal, and the same to break, alter, and renew, at pleasure; and, also, to ordain, and establish, and put into execution, such by-laws, and regulations, as shall appear necessary, and convenient, for the government of the said corporation, not being contrary to the constitution, or laws of the United States, and of the commonwealth of Pennsylvania, and generally, to do all, and singular, the matters, and things, lawfully appertaining to the well being of the said corporation, and the due management of the affairs thereof.

Title.

Privileges.

Proviso.

Seal.

By-laws.

SECTION 2. The capital stock of the said company shall consist of ten thousand shares, of twenty-five dollars each, to be called in as the necessities of the said corporation may require, for the purpose of carrying on the general business operations of the said corporation.

Capital stock.

SECTION 3. The government of the said corporation, and the management and disposition of its affairs, and property, shall be vested in a board of seven directors, who shall be elected by the stockholders, annually, at such times, and in such manner, as the by-laws of the said corporation shall direct: *Provided*, That said corporation shall not purchase, or hold, any real estate, except such as may be requisite, and necessary, to carry out the true intent, and purposes of this act.

Management.

Election of directors.

Prohibition.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

We do certify, that the bill, No. 219, entitled "An Act to incorporate the Agricultural Chemical Company," was presented to the governor on the eleventh day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, April 1, 1864.

No. 204.

**A Supplement**

To an act to authorize the re-examination of the account between the commonwealth and the county of Centre, approved fifteenth of April, one thousand eight hundred and sixty-three.

Preamble.

WHEREAS, It is alleged, on the part of the county of Centre, that the board of county auditors, in the report of January, one thousand eight hundred and sixty-one, committed error in the amount of state tax, outstanding, and uncollected, which amount, so returned by the board of county auditors, was charged to Centre county by the auditor general and state treasurer, and this alleged error was not discovered until too late to correct it by appeal:

And whereas, The auditor general holds, that the act, to which this is a supplement, provides no sufficient means for ascertaining, or determining, whether such error was committed or not, and, if committed, the amount of the same; now, therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Auditors to be appointed.

That the court of common pleas of Centre county shall appoint three auditors, whose duty it shall be, after having been severally sworn and affirmed, to faithfully discharge their duties, to proceed and examine the auditors' report of January, one thousand eight hundred and sixty-one, and the books and records of Centre county, and ascertain, and determine, what amount of state tax, then remaining uncollected, and outstanding, and make report thereof, as soon as finished, to the auditor general; which report, so made, and returned to the auditor general, shall be final and conclusive evidence of the amount of state tax outstanding, in Centre county, on the first day of February, one thousand eight hundred and sixty-one.

Their duties.

Report to be made to auditor general.

State treasurer and auditor general to open and re-settle accounts.

SECTION 2. That the auditor general and state treasurer be and they are hereby authorized, and required, upon receiving the report of the auditors, hereinbefore appointed, to open the account of the commonwealth and the county of Centre, settled in January, one thousand eight hundred and sixty-one, and re-settle the same, charging Centre county with only the real amount of state tax outstanding, as ascertained by the auditors aforesaid; and, further, to correct, and amend, all subsequent settlements in accordance therewith.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 7, entitled "A supplement to an act to authorize the re-examination of the account between the commonwealth and the county of Centre, approved fifteenth of April, one thousand eight hundred and sixty-three," was presented to the governor, on the eleventh day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, April 1, 1864.

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No. 205.

## An Act

To increase the pay of the county commissioners, county auditors, assessors, assistant assessors, directors of the poor and house of employment, jurors, and witnesses, in Cumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That from, and after, the passage of this act, the county commissioners, and county auditors of Cumberland county shall each be entitled to receive, from the county treasury, two dollars per day for each day employed in the duties of their office. Pay of commissioners and auditors increased

SECTION 2. That the assessors, and assistant assessors, in said county, shall each be entitled to receive one dollar and fifty cents per day for each day employed in the duties of their office, to be paid as now directed by law. Assessors, and assistant assessors.

SECTION 3. That the directors of the poor and house of employment, of said county, shall each be entitled to receive, for their services, fifty dollars per year, instead of thirty, as now directed by law. Directors of the poor.

SECTION 4. That the jurors, serving in the several courts of said county, shall be entitled to receive one dollar and fifty cents per day, with mileage, as now directed by law. Jurors.

SECTION 5. That the witnesses attending the several courts of said county, and residing one mile, or more, from the county Witnesses.

seat, shall each be entitled to receive seventy-five cents per day, with mileage, as now directed by law.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 72, entitled "An Act to increase the pay of county commissioners, county auditors, assessors, assistant assessors, directors of the poor, and house of employment, jurors, and witnesses, in Cumberland county," was presented to the governor on the fifteenth day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 1, 1864.

No. 206.

## An Act

To repeal an act relating to the selling of the repairing of the public roads in the township of Blakely, in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act relative to the selling of the repairing of the public roads in the township of Blakely, in Luzerne county," approved the third day of April, Anno Domini one thousand eight hundred and sixty-two, be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that Senate bill, No. 280, entitled "An Act to repeal an act relating to the selling of the repairing of the public roads in the township of Blakely, in Luzerne county," was presented to the governor on the seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four, and

was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 1, 1864.

No. 207.

## An Act

To authorize the purchase of an Executive Mansion.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the secretary of the commonwealth, the auditor general, and state treasurer, and a committee of three members from each house, are hereby authorized to select, and purchase, on behalf of the commonwealth, a house and lot of ground, in the city of Harrisburg, to be hereafter used as the residence of the governor of the commonwealth, and to sell the house and lot, heretofore purchased for the residence of the governor, under the act passed eighteenth January, one thousand eight hundred fifty-eight, entitled "An Act to authorize the purchase of a residence for the governor of the commonwealth:"

*Provided,* That the contracts for the purchase, and sale, respectively, of the said houses, and lots, shall be first submitted to the Senate and House of Representatives for ratification.

SECTION 2. That the house, and lot, so to be purchased by the commonwealth, shall be free and clear of all incumbrances, and the deed therefor, after having been duly recorded, shall be deposited in the office of the secretary of the commonwealth; and that the deed, to the purchaser of the house and lot, to be sold by the commonwealth, shall be made by the governor, under the great seal of the commonwealth.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

The purchase of an executive mansion authorized.

House and lot, heretofore purchased, to be sold.

Contracts to be ratified by the legislature.

Deeds therefor, relative to.

No. 208.

**An Act**

To incorporate the Jordan Manufacturing Company.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James W. Wilson, Charles W. Cooper, N. Weiser, Samuel A. Bridges, Levi Line, W. Harris, Boas Hausman, William Sæger, Thomas Craig, Phœn Albright, Andrew S. Keck, T. H. Martin, R. S. Shimer, James K. Moser, and such other persons as shall be associated with them, or a majority of them, and their successors, be and the same are hereby erected into a body politic, and corporate, under the name, and style, of the Jordan Manufacturing Company, for the purpose of manufacturing iron, from the crude state, into any shape, in the counties of Lehigh, Carbon and Northampton, with a capital stock of fifty thousand dollars, with the power to increase the same to five hundred thousand dollars, to be divided into shares of fifty dollars each, with privilege to commence operations when the sum of twenty-five thousand dollars is subscribed, and paid in; the said company to be subject to all the limitations, and restrictions, and to have all the powers, and privileges, contained in an act, entitled "An Act to incorporate the Eastern Iron Company," passed the ninth day of April, Anno Domini one thousand eight hundred and fifty-nine, and the supplement thereto, entitled "A supplement to the act to incorporate the Eastern Iron Company," approved the twenty-second day of February, Anno Domini one thousand eight hundred and sixty, except that said Jordan Manufacturing Company shall not, at any one time, hold more than one thousand acres of land, and that the number of directors shall not exceed five.

**HENRY C. JOHNSON,**

Speaker of the House of Representatives.

**JOHN P. PENNEY,**

Speaker of the Senate.

**APPROVED**—The fourth day of April, Anno Domini one thousand eight hundred and sixty-four.

**A. G. CURTIN.**



No. 209.

**An Act**

Relating to the Columbia and Maryland Line Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That it shall be lawful for the president, and directors, of the Columbia and Maryland Line Railroad Company, to change the corporate name of the said company to that of the Columbia and Port Deposit Railroad Company, and to consolidate with the Columbia and Port Deposit Railroad Company, of the state of Maryland, so as to form, and constitute, one body corporate, which shall be known by the name of the Columbia and Port Deposit Railroad Company, upon such terms, and conditions, and under such regulations, as may be specified in the agreement of union; the agreement of union to be subject to the approval of a majority of the stockholders, at a meeting to be called for that purpose. The consolidated company, thus formed, shall be entitled to all the privileges now granted to the Columbia and Maryland Line Railroad Company, and shall be subject, in like manner, to all the restrictions now binding upon said company.

Change of corporate name, and consolidation with other road, authorized.

Terms and conditions.

Privileges.

Subject to.

SECTION 2. That the president, and directors, with the consent of a majority of the stockholders, at a meeting called for that purpose, be and they are hereby authorized, and empowered, to increase their capital stock, and their bonds, from time to time, to such amount, and in such form, as they may deem advisable, to provide, and pay, for the completion, and equipment, of the road of the consolidated company, and for all property, depots, stations, and appurtenances, of every kind, whatsoever, that may, in the opinion of said president, and directors, be needful; the bonds, so issued, to be secured by a mortgage, or mortgages, which shall be liens, in the order of their respective dates, upon the property, and franchises, of the company, or such parts thereof as may be specified in the mortgage, or mortgages: *Provided*, That no bond shall be created, or issued, for a less sum than one hundred dollars.

Capital stock may be increased, and bonds issued.

Mortgages.

Proviso.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 210.

**An Act**

Imposing additional Taxes for State purposes, and to abolish the Revenue Board.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Railroad, canal, and other transportation companies, to make quarterly returns to the auditor general, stating the entire number of tons of freight carried, &c.

Rate of taxation upon tonnage.

The tax upon freight, carried over different lines, to be paid proportionately.

Proviso.

Banking and savings institutions, insurance, manufacturing, mining companies, &c., to make annual reports.

That in addition to the taxes now imposed by law, hereafter, every railroad, steamboat, canal, slack-water navigation, or other transportation company, doing business within this commonwealth, shall, by its president, treasurer, cashier, or other financial officers, make quarterly returns to the auditor general, commencing upon the first day of July next; said returns shall be made within thirty days, after the termination of each quarter, under oath, or affirmation, and shall fully, and particularly, state the entire number of tons of freight traffic carried, or moved, by said company, or corporation, during the three months, ending on the first day of that month; and said company, or corporation, owning, or managing said railroad, steamboat, canal, slack-water navigation, or other transportation company, shall pay to the state treasurer, for the use of the commonwealth, the following taxes, to wit: Upon all tonnage carried upon, or over, their respective lines of transportation, to be graduated as follows: first, upon the products of mines, for each ton of two thousand pounds, two cents; second, upon the products of the forest, on animal, or vegetable food, and all other agricultural products, three cents; third, upon merchandize, manufactures, and all other articles, five cents; in all cases, where the same freight is transported over different, but continuous, lines of transportation, then the tax, hereby imposed, shall be paid by the several corporations, carrying the same, each in proportion to the distance carried, as may be adjusted among themselves; the state treasurer being, and he is hereby, authorized, to collect the whole of said tax, from either of the companies carrying the freight, as he may select: *Provided*, That freight shipped through, and over, one or several lines of transportation, shall be chargeable with but one tax as aforesaid.

**SECTION 2.** That every private banker and broker, and every incorporated, and unincorporated, banking and saving institution, and deposit, and trust company, every gas company, express company, bridge company, insurance company, foreign insurance company, building and land association, manufacturing, mechanical, mining, and quarrying company, and all other companies, and corporations, doing business in this commonwealth, except those specified in the first section of this act, not paying a tax to the state, upon dividends, under existing laws, shall annually, upon the first day of November, of each year, make report, to the auditor general, under

oath, or affirmation, setting forth the amount of net earnings, or income, received by said individuals, or corporation, from all sources, during the preceding year; and upon such net earnings, or income, the said individuals, or corporation, as the case may be, shall pay to the treasurer, for the use of the state, within sixty days thereafter, three per centum upon such annual net earnings, or income, in addition to the taxes now imposed by existing laws: *Provided*, That institutions, individuals, or corporations, paying under this section, are not to be also taxed, under the act of the sixteenth of May, one thousand eight hundred and sixty-one, relative to private bankers and brokers, and the act of the ninth of April, Anno Domini one thousand eight hundred and fifty-six, and first of May, Anno Domini one thousand eight hundred and sixty-one, except so far as the licenses therein required, relative to foreign insurance companies: *Provided further*, That any corporation, which has failed to make returns to the commonwealth, as required by the act of April twenty-first, Anno Domini one thousand eight hundred and fifty-eight, entitled "An Act for the better securing to the commonwealth, the payment of taxes due by incorporated companies," may make such return, within sixty days after the passage of this act, any law to the contrary notwithstanding; and all delinquent companies failing, or refusing, to make full returns, and payment to the state, as required by the general laws of this commonwealth, in relation thereto, shall have all their rights and privileges declared forfeited, by proclamation from the governor.

Three per cent. to be paid to the state upon net income.

Individuals, or corporations, paying under this section, not to be taxed under other acts.

Exception.

Corporations failing to make returns, relative to.

SECTION 3. That every president, treasurer, cashier, or other officer of any company incorporated, or that may hereafter be incorporated, which pays interest to its depositors, bondholders, or other creditors, upon which, by the laws of the commonwealth, a state tax is imposed, shall, before payment of the same, retain from said depositors, bondholders, or creditors, the amount of state tax, imposed by existing laws, and shall pay over the same, to the state treasurer; and that all the laws regulating the mode of such payment, in regard to treasurers of counties, cities, and boroughs, be and the same are hereby extended to the financial officers thereof, and they are hereby required to collect, and pay over the taxes, due to the state, on such payments of interest, as provided in this section, to be done by officers of incorporated companies; and in case of any officer neglecting, or refusing, to retain the same, he shall become personally liable for the amount.

Presidents, cashiers, &c., of companies paying interest, &c., required to retain, and pay, to state treasurer the state tax imposed.

Extended to certain other officers.

Officers neglecting to be personally liable.

SECTION 4. That the treasurer of each county and city, the burgess, or other chief officer, of each incorporated district, or borough of this commonwealth, within ninety days after the passage of this act, shall make return, under oath, or affirmation, to the auditor general, of the amount of scrip, bonds, or certificates of indebtedness, outstanding by said county, city, district, borough, or incorporation, as the same existed on the first day of January, one thousand eight hundred and sixty-four, and of each succeeding year thereafter, together with the rates of interest thereon, at each of those periods, under the penalty of five thousand dollars, the amount to be settled by the auditor general, and the amount thereof sued for, and collected, as

County and city treasurers, burgesses, &c., to make returns of scrip, bonds, certificates, outstanding, with the rates of interest thereon.

Auditor general to settle accounts, fix the state tax due, and notify officers of the amount.

Attorney general to collect, if not paid within sixty days.

Treasurers to deduct tax, on payment of interest, or dividends.

Officers making false returns to be held guilty of perjury.

Penalty for neglect, or refusal.

Liable to an additional tax.

Books and papers of companies, &c., may be examined.

Companies, whose lines extend into, and corporations created under laws of, other states, &c., required to make the same returns.

Upon failure to comply, corporate franchises to be annulled.

Repeal of provision allowing abatement on state taxes, paid fifteen days prior to first of September.

debts due by defaulting public officers are collected : *Provided*, That on the receipt of said returns, the auditor general shall proceed to settle the accounts of each county, city, and borough with the commonwealth, fix the state tax due, and unpaid, and transmit notice of the amount, by mail, to officers making said returns ; and that if the amount, so found due, shall not be paid within sixty days, the attorney general shall sue and collect the same, with interest, from the date of such settlement ; and hereafter, it shall be the duty of the treasurer, of every county, city, borough, and incorporated district, in this commonwealth, to deduct the said state tax, on payment of any interest, or dividend, on debts due by the county, city, borough, or incorporated district, and pay the same over to the state treasurer, within thirty days after the said interest, or dividend, has fallen due.

SECTION 5. That in case any officers of any corporation, or any person, or persons, required by this act to make return, under oath, or affirmation, shall falsely make such return, he, or they, shall, on conviction thereof, be held guilty of perjury, and in case he or they neglect, and refuse, to make any return required by this act, he or they shall be liable to the commonwealth, for a penalty of five thousand dollars, for every such neglect, to be sued for, as other penalties now are ; and if the said corporation, or company, upon notice given, persists in its refusal to make return, and pay over the tax hereby imposed, it shall be liable to an additional tax of one per centum, upon the amount of its gross receipts ; and that the auditor general and state treasurer, or any agent appointed by them, are hereby authorized to examine the books and papers of any corporation, company, individual, or individuals, to verify the accuracy of any return made to them, or either of them.

SECTION 6. That every incorporated company, whose lines extend into any other states, and every corporation, created under the laws of any other state, and holding and enjoying any franchises, property, railroad, canal, work, or privilege whatsoever, within this state, shall make the same returns, in regard to the tonnage, of such portions of their lines as lie within this state, as if the whole was within ; and if any president, treasurer, or other financial officer, required to make returns, shall, after demand for thirty days, still neglect, and refuse, to make the returns, or pay over the amount of such tax, the same shall be handed over to the attorney general, who shall forthwith institute proceedings to annul the corporate franchises of such company, or corporation, within this state.

SECTION 7. That so much of the forty-second section, of the act approved the twenty-ninth day of April, one thousand eight hundred and forty-four, as provides for the abatement of five per centum on the amount of state taxes, paid fifteen days prior to the first of September, in any year, be and the same is hereby repealed ; and, hereafter, it shall be the duty of the auditor general to add five per centum penalty to each county, on all state taxes remaining unpaid, on the first day of August, one thousand eight hundred and sixty-five, and of each year thereafter, which shall be charged in the duplicate, against each delinquent tax-payer in arrears, on and after said

day; that in addition to the taxes, already imposed by law, all persons appointed to an office, by the governor, or elected, under the provisions of any law of this commonwealth, the gross receipts of whose office shall exceed six hundred dollars, and not exceed twelve hundred dollars, shall pay into the treasury of the state, a tax of one per centum, and on all amounts, over twelve hundred dollars, and not exceeding twenty-five hundred dollars, two per centum, and on all amounts, exceeding twenty-five hundred dollars, five per centum annually : *Provided*, That the revenue derived from this act shall, so far as is necessary, be first applicable to the payment of the ordinary expenses of government, and the residue, not needed for such purposes, shall be transferred to the sinking fund, as directed by the act of the twenty-second of April, one thousand eight hundred and fifty-eight.

Five per centum to be added on all unpaid, on first of August. Tax upon the gross receipts of certain officers.

How revenue derived from this act to be applied.

Revenue board abolished.

State board created, in lieu thereof.

Repeal.

SECTION 8. That so much of the act to reduce the state debt, and incorporate the Pennsylvania railroad company, approved twenty-ninth day of April, one thousand eight hundred and forty-four, and the several supplements thereto, requiring the appointment of revenue commissioners, from the several judicial districts of the state, be and the same are hereby repealed; and that all the powers granted to the said board, and the duties enjoined thereupon, shall hereafter be vested in a state board, to consist of the auditor general, the state treasurer, and the secretary of the commonwealth; and that all acts of assembly, inconsistent with the provisions of this act, be and the same are hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 211.

## An Act

For the Organization, Discipline, and Regulation of the Militia of the Commonwealth of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That every able bodied white male citizen, resident within this state, of the age of twenty-one years, and under the age

Who shall be enrolled in militia, and who exempt.

of forty-five years, excepting persons enlisted into volunteer companies, persons exempted by the following sections, idiots, lunatics, common drunkards, vagabonds, paupers, and persons convicted of any infamous crime, shall be enrolled in the militia; persons so convicted, after enrolment, shall forthwith be dis-enrolled; and in all cases of doubt, respecting the age of a person enrolled, the burden of proof shall be upon him.

Assessors to make a list of persons liable to enrolment.

SECTION 2. *First.* Assessors shall annually, and at the same time they are engaged in taking the assessment, or valuation of real and personal property, in their respective cities, wards, boroughs, or townships, make a list of persons living within their respective limits, liable to enrolment, and place a certified copy, in the office of the county commissioners, of each county, in the state, whose duty it shall be to record said roll, or list of names, in a book, to be provided for that purpose, in the same manner as other books of record are provided; and such record shall be deemed a sufficient notification to all persons whose names are thus recorded, that they have been enrolled in the militia.

Record thereof to be kept in office of county commissioners.

Assessors' notices to be put up in public places.

*Second.* As soon as the roll is completed, the assessors shall, forthwith, cause notices thereof to be put up, in three of the most public places in the city, ward, borough, or township, which notices shall set forth, that the assessors have made their roll of all persons liable to enrolment, according to law, and that a copy thereof has been left, for record, in the office of the county commissioners, where the same may be seen, or examined, by any person interested therein, until some day and place, to be specified in such notice, when, and where, the said assessors, and commissioners, of the county will meet to review such enrolment; such review shall be made at the same time, and place, the said assessors and commissioners meet to review the assessment of real and personal property, or for appeals.

Commissioners, and assessors, to review enrolment.

Persons claiming to be exempt to make affidavit.

*Third.* Any person claiming that he is not liable to military duty, on account of some physical defect, or bodily infirmity, or that he is exempt from the performance of military duty, by any law of this state, or of the United States, may, on or before the day specified in such notice, and not after, deliver to said assessors, an affidavit, stating such facts, on which he claims to be exempt, or not liable to do military duty; such affidavit may be made before any person authorized to administer oaths; and the assessors shall cause all such affidavits to be filed in the office of the county commissioners; and if any person shall swear falsely, in such affidavit, he shall be guilty of perjury.

Commissioners to determine who are exempt

*Fourth.* On the day the county, or city, commissioners meet, to review the assessment of real and personal property, or for holding appeals, they shall, also, determine who are exempt, or not liable to do military duty; and in a column prepared for that purpose, in such roll, opposite the name of each person not liable to do duty, shall insert "exempt," or "not liable," as the case may be; and opposite the names of all members of uniformed companies on such roll, shall insert "U. C.;" and against the name of any military officer in commission, and liable to do duty, the title of his office; and shall, also,

insert against the names of persons, between the age of eighteen and twenty-one years, "minor;" but, if such person will have arrived at the age of twenty-one years, on, or before, the fifteenth day of October following such enrolment, then the designation, last above provided, need not be made.

*Fifth.* The said commissioners shall, at the time they shall meet to review their enrolment, and for appeals, make a certified list of the names of all persons whom they shall determine to be exempt, or not liable to do military duty, and shall file the same in their office, for the future examination of the assessors and commissioners.

List of persons  
exempt to be  
filed.

*Sixth.* The commissioners, in each city and county, shall, each year, carefully ascertain, from the corrected assessment and military rolls, the whole number of persons enrolled, as liable to perform military duty, including all members of military companies, and shall report the same to the adjutant general, on, or before, the first day of November, in each year.

Commissioners  
to report to ad-  
jutant general  
whole number  
of persons lia-  
ble to military  
duty.

*Seventh.* When the assessors shall have completed their assessment roll, they shall sign the same, and shall attach thereto, an affidavit, substantially as follows: "The undersigned, assessor, or assessors, of the city, borough, ward, or township, of \_\_\_\_\_, in the county of \_\_\_\_\_, being sworn, or affirmed, say, that they have made strict and diligent inquiry to ascertain the names of all persons required to be enrolled, as liable to military duty, by the provisions of this act, residing in the district; that the roll, hereto annexed, is, as near as the deponent, or deponents, can ascertain, a correct roll of all persons residing in said district, who are liable to be enrolled." The said affidavit shall be taken before any officer, authorized by law to take affidavits, whose duty it shall be, to take the same, without fee, or reward; the said assessor, or assessors, shall then deliver said roll to the county commissioners, at their next meeting, and it shall be called the military roll of said district, and, also, one copy to the brigade inspector, of the proper brigade.

Military roll,  
copies of, where  
deposited.

Affidavit of as-  
sessors.

*Eighth.* The assessors, commissioners, or clerks, who shall refuse, or neglect, to perform any of the duties required of him, or them, by this act, shall forfeit, and pay, the sum of not more than two hundred dollars, to be recovered in the name of the commonwealth; and if any assessor, commissioner, or clerk, shall neglect, or refuse, to perform such duties, as are hereby required, he shall be deemed guilty of a misdemeanor, and such penalty, when paid, or collected, shall be paid into the treasury of the county, and belong to the military fund of the brigade; and it shall be the duty of the district attorneys, of the several counties, on complaint made, to prosecute any assessor, clerk, or commissioner, who shall neglect, or refuse, to perform any of the duties required of him by this act; the costs of any such prosecution, if not collected from the delinquent, shall be charged upon the military fund of the brigade.

Penalty for ne-  
glect of duty by  
assessors, com-  
missioners, or  
clerks.

To be paid into  
military fund  
of brigade.

Collection of.

*Ninth.* The compensation of assessors, for their services, in making the enrolment required, et cetera, shall be at the rate of three cents for each and every person so enrolled, and lia-

Compensation  
of assessors.

ble to do military duty, to be paid out of the brigade fund of the county.

Refusal to give information to assessors, penalty for.

SECTION 3. Keepers of taverns, or boarding houses, and masters and mistresses of dwelling houses, shall, upon application of the assessors, within whose bounds their houses are situated, or of persons acting under them, give information of the names of persons residing in their houses, liable to enrolment, or to do military duty, and every such person shall, upon like application, give his name and age; and if such keeper, master, mistress, or person, refuses to give such information, or gives false information, such keeper, master, or mistress, shall forfeit and pay twenty dollars, and such person shall forfeit and pay twelve dollars, to be recovered on complaint of either of the assessors.

When and how militia may be ordered out by the commander-in-chief.

SECTION 4. The enrolled militia shall be subject to no active duty, except in case of war, invasion, the prevention of invasion, the suppression of riots, and to aid civil officers, in the execution of the laws of the commonwealth; in which cases, the commander-in-chief shall order out, for actual service, by draft, or otherwise, as many of the militia as necessity demands.

To whom the order to be directed.

SECTION 5. The order of the commander-in-chief may be directed to the mayor, or councilmen, of cities, or to the commissioners of counties, who shall, thereupon, appoint a time, and place, of parade, for the militia in their city, or county, and order them to appear, at the time, and place, either by leaving a written, or printed, notice, or orally, and then, and there, proceed to draft as many thereof, or accept as many volunteers as are required, by the order of the commander-in-chief, and shall forthwith notify the commander-in-chief, that they have performed such duty.

Notices of time and place to be given.

May draft, or accept volunteers.

Soldiers not appearing, to be deemed guilty of desertion, unless they furnish substitute, or give reasonable excuse.

SECTION 6. Every soldier, ordered out for active duty, or who volunteers, or is drafted, who does not appear at the time, and place, designated by the mayor, or councilmen, or county commissioners, or who has not some able bodied, and proper substitute, at such time and place, or does not furnish a reasonable excuse, for such non-appearance, as provided for in section ninety-six, shall be deemed guilty of desertion, and shall be liable to such penalty, as a court martial may adjudge.

How militia to be organized.

SECTION 7. When the militia are ordered out, or have volunteered, for actual service, as specified in article four, they shall be organized into companies, battalions, regiments, brigades, and divisions; which companies, battalions, regiments, brigades, and divisions, shall be numbered, and a record thereof made in the office of the adjutant general, and shall be officered, governed, and disciplined, according to the laws of this state, and the United States; and the state shall furnish arms, and equipments, for each non-commissioned officer and private, and pay them until their term of service expires.

State to furnish arms, &c., and pay.

Commander-in-chief may require cities, and counties, to provide ordnance stores, &c.

SECTION 8. When the commander-in-chief deems it necessary, he shall require cities and counties, to provide, in some suitable place therein, such quantity of ordnance stores, and camp equipage, as may be requisite, and to keep the same, until such requirement is revoked; every city, or county, so neglecting to comply with such requisition, shall forfeit, and



pay, not exceeding five hundred dollars, which sum, when collected, shall be paid into the military fund of the brigade.

## EXEMPTIONS.

SECTION 9. In addition to the persons, absolutely exempted from enrolment in the militia, by the laws of the United States, the following persons shall be exempted from military duty, namely :

Additional exemptions.

The members of the legislature, and the officers thereof, the secretary of the commonwealth, attorney general, state treasurer, surveyor general, auditor general, state librarian, superintendent of common schools, and all the judges of the several courts of this commonwealth, sheriff, recorder of deeds, register of wills, prothonotary, district attorney, and clerks of the courts of this commonwealth.

Every non-commissioned officer, musician, and private, of every uniformed troop raised, who has, or shall hereafter uniform himself, according to the provisions of any law of this state, and who shall have performed service in such company, or troop, for the space of seven consecutive years, or three years, in active service, from the time of his enrolment therein, shall be exempt from military duty, except in case of war, insurrection, or invasion.

## VOLUNTEER MILITIA.

SECTION 10. The active militia shall be composed of volunteers, and in case of war, invasion, the prevention of invasion, the suppression of riots, and to aid civil officers in the execution of the laws of the commonwealth, shall first be ordered into service.

Volunteer militia shall be first ordered into service.

SECTION 11. Each county, in this commonwealth, shall be a separate brigade, and shall be numbered in the divisions, to which they severally belong, by the brigade inspectors, and brigadier generals: *Provided*, That any county, or counties, not having the minimum number of enrolled militia, necessary to constitute a brigade, shall be consolidated with other counties, at the discretion of the commander-in-chief: *And provided*, That the city of Philadelphia shall be divided into four brigades, and the city of Pittsburg shall constitute one brigade.

Each county to be a separate brigade.

*Provido.*

*Provido.*

SECTION 12. The volunteer, and enrolled, militia, of this commonwealth, shall be divided into twenty divisions, as follows :

Militia of commonwealth to be divided into twenty divisions.

First division, Philadelphia.

Second division, Bucks, Montgomery and Delaware.

Third division, Chester and Lancaster.

Fourth division, York and Adams.

Fifth division, Berks, Lebanon and Dauphin.

Sixth division, Schuylkill, Monroe, Carbon and Pike.

Seventh division, Northampton and Lehigh.

Eighth division, Northumberland, Union, Montour and Snyder.

Ninth division, Columbia, Luzerne and Wyoming.

Tenth division, Susquehanna and Wayne.

Eleventh division, Lycoming, Clinton, Potter and Cameron.

Twelfth division, Clarion, Elk, M'Kean and Forest.

Thirteenth division, Bradford, Tioga and Sullivan.

Fourteenth division, Juniata, Mifflin, Centre, Huntingdon and Clearfield.

Fifteenth division, Cumberland, Franklin and Perry.

Sixteenth division, Bedford, Somerset, Cambria, Blair and Fulton.

Seventeenth division, Westmoreland, Fayette, Washington and Greene.

Eighteenth division, Allegheny, Armstrong, Indiana and Jefferson.

Nineteenth division, Butler, Beaver, Mercer and Lawrence.

Twentieth division, Crawford, Erie, Venango and Warren.

Volunteer companies, how to be organized, officered, &c.

SECTION 13. Petitions for organizing companies, may be granted by the commander-in-chief, and such companies shall be organized, as follows :

To every company of cavalry—

One captain,	Two trumpeters,
One first lieutenant,	Two farriers or blacksmiths,
One second lieutenant,	One saddler,
One first sergeant,	One wagoner,
One quartermaster sergeant,	And sixty privates minimum,
One commissary sergeant,	seventy-eight privates maximum.
Five sergeants,	
Eight corporals,	

Of infantry—

One captain,	Eight corporals,
One first lieutenant,	Two musicians,
One second lieutenant,	One wagoner,
One first sergeant,	and (sixty-four privates minimum,
Four sergeants,	{ eighty-two privates maximum.

Of artillery—

One captain,	Eight corporals,
One first lieutenant,	Two musicians,
One second lieutenant,	Two artificers,
One first sergeant,	One wagoner, and
One quartermaster sergeant,	One hundred and twenty-two
Four sergeants,	privates.

Term of service of non-commissioned officers, and privates.

SECTION 14. Non-commissioned officers, and soldiers of volunteer companies, shall serve therein for five years, unless disability, after enlistment, incapacitates them to perform such duty, or they are regularly discharged by the proper officer.

Election of company officers, when and how to be ordered.

SECTION 15. No election of officers shall be ordered in a company, hereafter organized, unless at least the prescribed minimum number of men have been enlisted therein; upon the enlistment of that number, and notification given, to the commander-in-chief, by one or more of the petitioners for the company, attested by the mayor of a city, or the commissioners of a county, an election of officers shall be ordered; and if there is no officer of the volunteer militia, conveniently located, to preside at such election, the commander-in-chief may issue an order, for that purpose, to one or more of the councilmen, mayor of a city, or commissioners of a county, where a majority of the petitioners reside.

Recruits to sign names in enlistment book.

SECTION 16. After the organization of a company, recruits shall sign their names in a book of enlistment, kept by the

company for the purpose, which signing shall be a legal enlistment.

SECTION 17. The commander-in-chief may arrange the volunteer militia, when they exist in sufficient numbers, and are conveniently located, into divisions, brigades, regiments, battalions, and companies, conformably to the laws of the United States, and make such alterations as from time to time may be necessary; each division, brigade, regiment, battalion, and company, shall be numbered at the formation thereof, and a record thereof made in the office of the adjutant general.

Arrangement into divisions, brigades, &c., relative to.

To be numbered

SECTION 18. Companies of cavalry, and artillery, inconveniently located for such organization, may be attached to such brigades as the commander-in-chief shall order; other companies, inconveniently situated, shall remain under their company commanders, subject to the orders of the commander-in-chief, through the commander of the nearest regiment, to whom such commanders shall make their annual returns.

Companies inconveniently located for organization, relative to.

SECTION 19. If it appears to the commander-in-chief, that a company of militia has failed to comply with the requisitions of the law, in matters of uniform, equipment, and discipline, so that it is incapacitated to discharge the duties required of it, such company may be disbanded by the commander-in-chief.

Disbanding of companies.

#### OFFICERS.—APPOINTMENT, ELECTION, QUALIFICATION, AND DISCHARGE OF.

SECTION 20. The officers and non-commissioned officers of the militia shall be as follows:

Commander-in-chief, and aids.

A commander-in-chief.

An adjutant general, an inspector general, a quartermaster general, and a commissary general, each, with the rank of brigadier general.

Adjutant, inspector, commissary and quartermaster generals.

Aids to the commander-in-chief, with the rank of colonel, not exceeding four in number.

To each division, there shall be one major general, one division inspector, with the rank of lieutenant colonel, two aids-de-camp, one division quartermaster, and one judge advocate, each, with the rank of major.

Officers of divisions.

To each brigade, there shall be one brigadier general, one brigade inspector, with the rank of major, to serve, also, as brigade major, one brigade quartermaster, and one aid-de-camp, each, with the rank of captain.

Brigade officers.

The officers, non-commissioned officers, and privates of artillery, infantry, and cavalry companies, shall be the same as prescribed for volunteer companies in section thirteen.

Regimental organizations.

To each regiment of infantry, ten companies.

One colonel.

Two assistant surgeons.

One lieutenant colonel.

One chaplain.

One major.

One sergeant major.

One adjutant, (an extra lieutenant.)

One regimental quartermaster sergeant.

One quartermaster, (an extra lieutenant.)

One regimental commissary sergeant.

One surgeon.

One hospital steward.

Two principal musicians.

To each regiment of cavalry, twelve companies.

One colonel.	One regimental commissary, (and extra lieutenant.)
One lieutenant colonel.	
Three majors.	One chaplain.
One surgeon.	One veterinary surgeon.
Two assistant surgeons.	One sergeant major.
One regimental adjutant, (and extra lieutenant.)	One quartermaster sergeant.
One regimental quartermaster, (and extra lieutenant.)	One commissary sergeant.
	Two hospital stewards.

One saddle sergeant and one chief trumpeter.

To each regiment of artillery, twelve batteries.

One colonel.	One chaplain.
One lieutenant colonel.	One sergeant major.
One major for every four batteries.	One quartermaster sergeant.
One adjutant, (not an extra lieutenant.)	One commissary sergeant.
One quartermaster, (not an extra lieutenant.)	One hospital steward.
	Two principal musicians.

Non-commissioned staff officers, sergeant majors of battalions, &c., how appointed.

One clerk to every company.

Companies without commissioned and non-commissioned officers, relative to.

Commanders of volunteer regiments shall appoint non-commissioned staff officers; sergeant majors, and quartermaster sergeants of battalions, shall be appointed by the major; non-commissioned officers of companies, by the respective captains; clerks, by the commanding officers of the respective companies.

To every company there shall be one clerk, who shall be detailed for that duty from the company.

SECTION 21. When a company has neither commissioned, nor non-commissioned, officers, the commander of the regiment, or battalion, to which it belongs, shall appoint suitable persons within said company, to be non-commissioned officers thereof, and shall appoint a suitable person to be clerk, endorse the appointment on his warrant, administer the oath to him, and certify the same; the senior non-commissioned officer of a company, without commissioned officers, shall command the same, except upon parade, and as provided in the following section.

Commanders of regiments, or battalions, may detail officers for companies neglecting to elect.

SECTION 22. When a company is first enrolled, or from any cause is without officers, and an election of officers is ordered, if such company neglects, or refuses, to elect any officer, or if the persons elected, shall not accept, the commander of the regiment, or battalion, to which it belongs, shall detail some officer of the staff, or line, of the regiment, to command said company, until some officer is elected, or appointed by the commander-in-chief; such officer shall have the same power, and be subject to the same liabilities, as if he were captain of such company.

How military officers of the state to be chosen.

SECTION 23. The military officers of the state shall be chosen as follows:

Major generals, by the commander-in-chief, with the consent of the senate.

Brigadier generals, by the written, or printed, votes of the field officers, of the respective brigades, and commanders of brigade companies.

Field officers, of regiments and battalions, by the written, or printed, votes of the commissioned officers, of the companies of the respective regiments, or battalions.

Commissioned officers of companies, by the written, or printed, votes of the non-commissioned officers, and privates, of the respective companies.

SECTION 24. The staff officers, of the military force of the state, shall be appointed in the manner following :

The adjutant general, by the commander-in-chief.

The quartermaster general, by the commander-in-chief, with the consent of the senate, and when in a state of war, a commissary general, by the commander-in-chief, with the consent of the senate.

The aids to the commander-in-chief, by the commander-in-chief.

The division inspectors, and division quartermasters, by the respective major generals, and approved by the commander-in-chief.

The aids-de-camp of major generals, by the respective major generals.

The judge advocates, by the respective major generals.

The brigade majors, and inspectors, brigade quartermasters, and aids-de-camp to brigadier generals, by the respective brigadier generals.

Chaplains, adjutants, and quartermasters, by the respective colonels.

Surgeons, and assistant surgeons, of regiments, by the respective colonels, approved by the surgeon general.

Adjutants, and quartermasters of battalions, by the respective majors.

SECTION 25. Before entering upon the duties of their offices, the quartermaster general, and the commissary general, shall each give bond to the state, in the penal sum of twenty thousand dollars, to be approved by the governor, conditioned, faithfully, to discharge the duties of their offices.

SECTION 26. The adjutant general may appoint an assistant adjutant general, with the rank, pay, and allowances of a captain of infantry, in the United States service, who shall be commissioned by the governor.

SECTION 27. The quartermaster general, and the commissary general, may respectively appoint an assistant, each of whom shall be entitled to the rank, pay, and allowances, of a captain of infantry, in the United States service, and shall be commissioned by the governor, and shall give bonds to the commonwealth, for the faithful performance of their respective duties, in such sums, as may be approved by the governor.

SECTION 28. The adjutant general, the quartermaster general, the inspector general, and the commissary general, shall each receive a salary of six dollars per day, when actually employed in the service of the state.

SECTION 29. In time of war, insurrection, or invasion, there shall be one surgeon general of the state, to be appointed by the commander-in-chief, with the advice, and consent, of the senate, who shall be entitled to six dollars per day, when actually employed in the service of the state.

Field officers of regiments and battalions.

Company officers.

Appointment of staff officers.

Quartermaster and commissary generals to give bonds.

Assistant adjutant general.

Quartermaster and commissary generals may appoint assistants.

Salaries of adjutant, inspector generals, &c

Surgeon general, appointment and pay of.

Clerks in the several military departments, how to be paid.

**SECTION 30.** The adjutant general, quartermaster general, inspector general, commissary general, and surgeon general, may, with the consent of the commander-in-chief, employ such clerical, and other, force as may be required in their respective departments, who shall be paid such rates of compensation as may be deemed just and proper; payments for the same, to be made by warrants, drawn by the respective heads of departments, upon the treasury of the commonwealth.

Officers to be commissioned on returns made to the adjutant general.  
Officers' warrants.  
Appointments of clerks to be certified.

**SECTION 31.** All commissioned officers shall be commissioned by the commander-in-chief, according to the respective offices and grades to which they shall be elected, on returns of election, made through the adjutant general.

Every commissioned officer's warrant shall be given, and signed, by the commanding officer of his regiment, or battalion.

Clerks shall have their appointments certified on the back of their warrants, by the commanding officer of their respective companies.

Adjutant general to notify major generals of appointment.

**SECTION 32.** Major generals shall be notified of their appointment by the adjutant general, and unless, within thirty days after such notice, they signify their acceptance of office, shall be taken to have refused the same.

Electors to be notified of elections.

**SECTION 33.** Electors shall be notified of elections, at least ten days previously thereto; a non-commissioned officer, or private, unnecessarily absent from company election, shall forfeit one dollar, to be recovered on complaint of the clerk, to be paid into the military fund of the brigade to which such company belongs.

Officers presiding at elections.

**SECTION 34.** Officers ordering elections may preside or detail some officer of suitable rank to preside.

Rank of.  
Candidates not to preside.

**SECTION 35.** A captain, or staff officer of the rank of captain, may preside at the election of an officer of equal, or inferior, grade, within the limits of his regiment, or battalion; but no candidate for the vacancy shall preside at the election, except to adjourn the meeting, if no proper officer appears to preside; at all elections, such presiding officer shall keep a record of the proceedings, and make return thereof to the commanding officer of the battalion, regiment, brigade, or division, as may be proper.

Record of proceedings to be kept.

Officers to be notified of their election and returns made.

**SECTION 36.** The person, who has a majority of the written, or printed, votes of the electors present, at a meeting duly notified, shall be deemed elected, and the presiding officer shall forthwith notify him of his election, and make return thereof, or of neglect, or refusal, to elect, to the commander of the division; every person, so elected, and notified, shall accept, if a brigadier general, or field officer, within ten days; or if a company officer, within five days, otherwise he shall be taken to have refused; if, before the meeting for the election of any officer is dissolved, the person chosen signifies, to the presiding officer, his refusal to accept the same, such refusal shall be recorded and made part of the return, and the electors shall proceed to another election; elections may be adjourned, not exceeding twice, and each adjournment for a period not exceeding two days, but no company election shall be legal, unless it is notified in the manner already prescribed; the original roster of the brigade, regiment, or battalion, or the origi-

Refusals to accept.

Elections may be adjourned.

nal roll of the company, as the case may be, shall be produced, at such elections, by the person having the legal custody thereof.

SECTION 37. When an officer, holding a military commission, is elected to another office in the militia, and accepts the same, such acceptance shall constitute a part of the return of the presiding officer, and shall vacate the office previously held. Officers, in commission, elected to other offices.

SECTION 38. Commissions shall be transmitted to the commanding officers of divisions, and by them, through the proper officers, to the officers elect. Commissions to be transmitted to division officers.

SECTION 39. When a person elected, or appointed, to an office, refuses to accept his commission, or qualify at the time of acceptance, the major general shall certify the fact on the back thereof, and return it to the adjutant general, and if the office is elective, a new election shall be ordered. Commissions not accepted, to be returned, certified, to adjutant general.

SECTION 40. No candidate for office, in the militia, pending, or after an election, shall treat, with intoxicating liquors, the persons attending thereat; and no officer shall, on days of military duty, so treat persons performing such duty, under a penalty of twenty-five dollars, one-half to the informer, and the other half to the military fund of the county brigade. Prohibition as to treating with liquors, by candidates or officers.

SECTION 41. No officer, or soldier, shall be arrested on civil process, while going to, remaining at, or returning from, a place where he is ordered to attend for election of officers, or military duty. Officers and soldiers on duty, exempt from civil process.

SECTION 42. Every commissioned officer, before he enters on the duties of his office, or exercises any command, shall take and subscribe, before a justice of the peace, or general, or field, officer, who has previously taken and subscribed them himself, such oath and declarations as may be prescribed by the commander-in-chief, which shall not be inconsistent with the oath and declarations prescribed by the laws of the United States. Commissioned officers to take oath.

SECTION 43. When an officer tenders his resignation, with the approval of the commanders of the battalion, regiment, brigade, and division, to which he belongs, the commander-in-chief may discharge him. Resignations.

SECTION 44. No commanding officer shall approve a resignation, under the preceding section, unless the reasons for such resignation are urgent, and proved to his satisfaction; and the rolls, orderly book, roster and documents, in the custody of the officer resigning, shall, before his discharge is delivered to him, be deposited with the officer having a right to the custody of the same. Reasons for resignations to be given.  
Rolls, &c., to be given up.

SECTION 45. No officer shall be discharged by the commander-in-chief, unless upon his own request, except as follows: When it appears to the commander-in-chief, that he has become unable, or unfit, to discharge the duties of his office, or to exercise proper authority over his inferior officers and soldiers, or that he has been convicted of an infamous crime. When officers may be discharged by commander-in-chief

When the commander of his division certifies, that he has, either before, or after, receiving his commission, removed his residence out of the bounds of his command, to so great a distance, that in the opinion of such commanding officer, it is inconvenient to exercise his command.

When such commander certifies that he has been absent from his command more than one year, without leave.

Upon address of both houses of the legislature to the governor.

Upon sentence of court martial, after trial, according to law.

In which cases, he may be so discharged.

Commissions of staff officers.

SECTION 46. The commissions of staff officers, appointed by a commanding officer, shall expire as soon as the successor of such commanding officer is commissioned.

Suspension of officers, under arrest.

SECTION 47. Officers, under arrest, shall be suspended from exercising the duties of office, and resignations tendered under charges, when forwarded by any commander, will always be accompanied by a copy of the charges, or in the absence of written charges, by a report of the case, for the information of the commander-in-chief.

#### THE ADJUTANT GENERAL.

Adjutant general, official term of.

SECTION 48. The adjutant general shall hold his office for the term of three years, and until his successor is appointed and qualified, but may be removed at any time, by the commander-in-chief.

To distribute reports, &c.

SECTION 49. He shall distribute all orders from the commander-in-chief, shall obey all orders relative to carrying into execution, and perfecting, any system of military discipline, established by law, and shall be attendance, when the commander-in-chief reviews the militia.

To furnish forms of rolls, returns, &c.

SECTION 50. He shall furnish to the militia, and volunteer militia, blank forms of rolls, and of the different returns, that may be required, explaining the principles upon which they should be made, of orders for the commanders of companies, to order the non-commissioned officers, and privates, to notify their men to attend the inspections, parades, reviews, and elections of officers, which may be ordered, and of notifications, or orders, to be left with the men.

Abstract of returns to be made out.

SECTION 51. He shall make proper abstracts, from the returns of the commanding officers, of brigades, and divisions, and lay the same before the commander-in-chief annually.

To make annual report to the president and commander-in-chief.

SECTION 52. He shall annually make a return, in duplicate, of the militia of the state, with their arms, accoutrements, and ammunition, according to such form, as may be prescribed by the secretary of war, of the United States, one copy of which he shall deliver to the commander-in-chief, and transmit the other, to the President of the United States, on or before the first Monday in February.

Annual account to auditor general.

SECTION 53. He shall annually, in December, lay before the auditor general, an account, with vouchers, of his expenditures, as adjutant general.

#### ARMS, EQUIPMENTS, EQUIPAGE, &c.—ARTICLES FURNISHED BY SOLDIERS.

Officers and soldiers to furnish themselves with uniforms.

SECTION 54. Officers of the line, and staff, and officers, and soldiers, of a volunteer company, shall provide themselves with such uniforms, as shall be required, for the time being, by the regulations of the army; and every such soldier, deficient there-



in, shall forfeit two dollars, to be recovered, on complaint of the clerk, to be paid into the military fund of the proper county brigade.

SECTION 55. Every officer, and soldier, shall hold his uniform, arms, ammunition, and accoutrements, required by law, free from all suits, distresses, executions, or sales for debt, or payment of taxes.

#### ARTICLES FURNISHED BY THE STATE.

SECTION 56. The quartermaster general may deliver, as a loan from the state, to the commanding officer of each division, brigade, regiment, battalion, or company, of the volunteer militia, such tents, fixtures, and other camp equipage, as may be in the state arsenals; and each officer, to whom such equipage is delivered, shall be responsible for the safe keeping of the same; and in case of the discharge, or death of such officer, he, or his legal representative, shall be released from such responsibility, upon filing, in the office of the quartermaster general, a certificate, of the officer succeeding him in command, that the articles, so furnished, are, at the date of the certificate, in good order, and condition, reasonable use, and wear thereof, excepted.

SECTION 57. The quartermaster general may, under the direction of the commander-in-chief, make such disposition of the arms, accoutrements, ammunition, and all other military property, belonging to the commonwealth, as will most effectually subserve its military interests or necessities.

He shall distribute to the officers, regiments, battalions, and companies, of the volunteer militia, the arms, furniture, equipments, camp equipage, and books required by law, to be furnished at public expense, and may sue, either in contract, or *tort*, any, or all such officers, for loss, or damage, sustained, in articles so furnished by them.

He may permit the field pieces, and artillery equipments, now in the possession of any city, or county, so to remain, so long as they provide suitable places of deposit therefor, and keep them in good condition, without expense to the commonwealth.

SECTION 58. Each company of the volunteer militia, on application by the commander thereof to the quartermaster general, and producing satisfactory evidence that a suitable armory, or place of deposit, is provided therefor, shall be furnished with such appropriate arms, and equipments, as shall be determined by the commander-in-chief.

SECTION 59. Each company of militia may be furnished with such instruments of music as the commander-in-chief shall order; each commander of a brigade may draw orders upon the quartermaster general, or officer acting as such, in favor of the commanders of regiments, battalions, and companies, for instruments of music; commanders of companies shall be responsible for the safe-keeping of the instruments, delivered to them for the use of their companies.

SECTION 60. Each company of artillery may be provided, by the quartermaster general, with the battery of manœuvre, pre-

Artillery companies to be provided with batteries, caissons, &c.

Target practice, relative to.

Horses to draw field pieces, &c., may be provided.

How regiments and companies are to be drilled.

Military stores may be sold or exchanged.

scribed for that arm by the War Department of the United States, with caissons, harness, implements, laboratory, and ordnance stores, in possession of the state, which may, from time to time, be necessary for their complete equipment for the field; and when a state of war, or danger thereof, renders target practice expedient, in the opinion of the commander-in-chief, such quantity of ammunition, annually, as he deems necessary to be expended in experimental gunnery; the commissioned officers of each company shall be accountable for the preservation of the pieces, apparatus, and ammunition, aforesaid, and for the proper expenditure of the ammunition.

SECTION 61. The commanding officer of such company, when it is ordered by the commander-in-chief to march out of the city, or county, where the gun-house is situated, and on occasions of parade, when ordered by the commander-in-chief, for experimental gunnery, or camp duty, may provide horses to draw the field-pieces and caissons, and present his account of the expenses thereof.

SECTION 62. All regimental, and company, organizations shall be drilled in accordance with such tactics as may be adopted by the War Department, and the army regulations, when not inconsistent with the provisions of this act.

SECTION 63. The quartermaster general may, with the approval of the commander-in-chief, sell, or exchange, from time to time, such military stores belonging to the quartermaster general's department as are found unserviceable, or in a state of decay, or which it may be deemed for the interest of the state to sell, or exchange.

#### ARMORIES.

Armories, relative to.

SECTION 64. The commissioners of counties, or mayor and councilmen of cities, shall provide for each company of militia, within the limits of their respective places, a suitable armory, or place of deposit, for the arms, equipments, and equipage, furnished it by the state; when a company is formed from different places, the location of such armory, or place of deposit, shall be determined by a majority of its members, the rent of which armory shall be paid out of the brigade fund.

#### ORDERS AND NOTIFICATIONS.

Orders, distribution of.

SECTION 65. Orders from the commander-in-chief shall be distributed by the adjutant general; division orders, by the division inspector; brigade orders, by the brigade major; regimental, and battalion orders, by the adjutant; company orders, by the clerk, or any non-commissioned officer, or private, when so required by the commanding officer.

Who to deliver company notices.

SECTION 66. When a commander orders his company for military duty, or for election of officers, he shall order one, or more non-commissioned officers, or privates, to notify the men belonging to the company, to appear at the time, and place, appointed; such non-commissioned officer, or private, shall give notice of such time, and place, to every person, whom he is ordered to notify; if he fails to do so, he shall forfeit not more

than one hundred dollars, to be recovered, on complaint of the clerk, one half to his use, and one half to the use of the military fund of the proper brigade. Penalty for failure.

SECTION 67. No notice shall be legal, unless given by such non-commissioned officer, or private, to each man verbally, or by leaving at his usual place of abode, a written, or printed, order, signed by such officer, four days, at least, previous to the time appointed, if for military duty, and ten days previous thereto, if for an election of officers; but in case of invasion, insurrection, riot, or an unforeseen, or sudden occasion, a verbal, written, or printed notice, however short, shall be legal; when a company is paraded, the commanding officer may verbally notify the men, to appear at a future day, not exceeding thirty days, from the time of such parade, which shall be sufficient notice, as respects the persons present; and all commanders of companies shall, on parade, read division, brigade, or regimental orders, and notify the soldiers of their several commands, to appear, as by such orders required, which notice shall be a sufficient warning. Time and manner of giving, &c.  
  
Orders to be read on parade.

SECTION 68. When a company is without commissioned officers, the commander of the regiment, or battalion, to which it belongs, or the officer detailed by him, to discipline the same, shall, in writing, order any non-commissioned officers, or privates, to notify the persons liable to do duty, in such company, to appear for duty, required by law, at the time, and place, mentioned in such order; and if a non-commissioned officer, or private, refuses, or neglects, so to notify, he shall forfeit, and pay, not more than one hundred dollars, one half for the use of the informer, and one half for the use of the military fund of the proper brigade. Notices, in cases of companies without commissioned officers, how to be given.  
  
Penalty for neglect.

SECTION 69. Clerks of companies shall record, in the orderly book, company orders and notifications, but such record shall not be necessary to the recovery of a penalty. Clerks to record orders.

#### DISCIPLINES, PARADES, INSPECTION, AND CAMP DUTY.

SECTION 70. The system of discipline, and field exercise, ordered to be observed, by the army of the United States, in the different corps, or such other system as may hereafter be directed for the militia, by laws of the United States, shall be observed by the militia of this commonwealth. System of discipline, relative to.

SECTION 71. The commander of every regiment, battalion, and detached company, may annually order out the commissioned, and non-commissioned, officers under his command, for elementary drill, two separate days, between the middle of May, and the middle of July, at such place as he deems most convenient; and if the place of any such officer in a company is vacant, the commander thereof shall detail from the privates, under his command, a sufficient number to make up the deficiency; every person unnecessarily neglecting to attend, at the time, and place, appointed for such drill, shall forfeit, to the use of the brigade fund, three dollars. Drills, time and place of.  
  
Fine for neglecting to attend.

SECTION 72. The commander-in-chief may prescribe the time, place, and manner, of assembling the troops, for the purposes declared in this section, and each commander of divi- Encampments, orders for.

sion shall, upon notification from the commander-in-chief, order an encampment, of his division, by brigades, or regiments; the orders for encampment, by brigade, shall be promulgated in the brigade, thirty days before the time appointed for the encampment; the orders for encampment, by regiment, shall be promulgated in the regiment, twenty days before such time.

Reviews, inspections, &c.,

SECTION 73. Each encampment may last three days; the troops shall be inspected, reviewed, and thoroughly exercised as companies, battalions, or brigades, in the whole routine of camp and field duty; every officer, non-commissioned officer, and private, held, by law, to do military duty, and unnecessarily neglecting to appear at the time and place appointed for encampment, shall forfeit, commissioned officers, ten dollars per day, and non-commissioned officers and privates, five dollars per day, to the use of the brigade fund.

Members absent, subject to fine.

Company roll calls during encampment.

SECTION 74. Each company roll call shall be made during the term of encampment, under the supervision, and in presence of a regimental, or commissioned staff officer, to be designated by the commanding officer of the regiment, or battalion, to which the company is attached.

Parades, limits of, &c.

SECTION 75. Every commanding officer, when on duty, may ascertain and fix necessary bounds and limits to his parade, not including a road, so as to seriously obstruct passing, within which, no spectator shall enter, without leave from such commanding officer; whoever intrudes, or attempts to intrude, within the limits of the parade, after being forbidden, and whoever resists a sentry, who attempts to put him, or keep him, out of such limits, may be arrested, and confined under guard during the time of parade, or a shorter time, at the discretion of the commanding officer.

When military duty to be performed.

SECTION 76. No officer, or soldier, shall be holden to perform military duty, except in case of invasion, insurrection, riot, or tumult, made, or threatened, or in obedience to the orders of the commander-in-chief, on a day appointed for a general, or state election, in the place of his residence; and an officer parading his company, or ordering it to parade, contrary to the provisions of this section, shall, besides being liable to court martial, forfeit not more than three hundred dollars, for the use of the brigade.

Penalty for parades, contrary to orders.

Not to be construed to prevent meetings for drill, funerals, &c.

SECTION 77. Nothing, herein contained, shall be construed to prevent any company from meeting for the purpose of drill, funeral, or other escort, or a voluntary service, nor to impair the obligation arising under constitutional articles of agreement, adopted by the company, so far as regards the members who have signed the same, unless they are repugnant to law.

Soldiers on parade, deficient in arms or equipments, &c., to be fined.

SECTION 78. Every non-commissioned officer, or private, who appears at a parade, or drill, required by law, deficient in any arm furnished him by the state, or with such arms unserviceable, or in bad condition, shall forfeit one dollar; and every such officer, or private, so appearing deficient in any article of equipment, or ammunition, furnished to, or required of him by law, or general order, or with such equipment, or ammunition, of bad quality, or condition, shall forfeit two dollars, for the use of the brigade fund.

SECTION 79. A soldier, who unnecessarily, or without order from a superior officer, comes to any parade with his musket, rifle, or pistol, loaded with ball, slug, or shot, or so loads the same, while on parade, or unnecessarily, or without order from a superior officer, discharges the same, when going to, returning from, or upon parade, shall forfeit not more than twenty dollars, to the use of the brigade fund.

Loading muskets, &c., or discharging the same on parade, prohibited.

SECTION 80. A soldier quitting his guard, section, platoon, or company, shall forfeit not more than ten dollars, to be recovered, if the offence is committed at a regimental, or battalion parade, to the use of the brigade fund.

Fine for quitting guard, &c.

SECTION 81. For any offence mentioned in the preceding section, the delinquent may be put, and kept, under guard by the commander of the company, regiment, or of the field, for a time not extending beyond the term of service for which he is then ordered; a non-commissioned officer, for any offence, or for disobedience of orders, or unmilitary conduct, at a regimental, or battalion, parade, may, besides incurring the fine prescribed, be reduced to the ranks by the commander of his regiment, or battalion, and for such misconduct, at any other parade, by such commander, with the advice of his company commander.

Additional punishments may be imposed, for offences mentioned.

#### ROSTERS, ORDER BOOKS, ROLLS, AND RETURNS.

SECTION 82. The division inspector of each division, the brigade major of each brigade, and the adjutant of each regiment, battalion, or corps, shall constantly keep a correct roster of the command to which he belongs, and an order book, in which he shall record orders received and issued.

Roster and order books to be kept.

SECTION 83. A fair and exact roll of each company shall be kept by the clerk, under the direction of the commander, with the state of the arms and equipments furnished to each man, in the form prescribed, for the returns of the militia, by the commander-in-chief; such rolls shall be annually revised, in the month of May, and corrected, from time to time, as the state of the company, and alterations in it, may require.

Rolls.

SECTION 84. An order book shall also be kept in each company, by the clerk, under the direction of the commander, and the proceedings of the company, orders received and issued, and exact details of drafts and detachments, shall be recorded therein; fines and forfeitures, with the time when, and the offence, neglect, default, or deficiency, for which they were incurred, money collected by him, with the names of the persons from whom collected, and all delinquencies and deficiencies, shall be recorded in said book, which shall not be alienated from the company, and shall always be open to the inspection of its officers.

Company order books, what to be recorded therein.

SECTION 85. At the conclusion of each tour of camp duty, commanders of companies shall make correct duplicate returns, of their several companies, for each day of the encampment, upon which, the commander of the regiment, or battalion, to which the company belongs, shall certify that such company, on each of the days of encampment, well and faithfully performed the duties required by law; and the staff officer, supervising the roll, shall certify thereon, that the number of

Commanders of companies to make duplicate returns, after encampments.

officers, non-commissioned officers, musicians, and privates, therein reported as present, and doing duty each day, is correct; he shall deliver one of such returns to the brigade major, or inspecting officer, on duty in the camp, and transmit the other, within ten days after said tour of camp duty, to the office of the adjutant general; the returns of companies attached to divisions, or brigades, and not to regiments, shall be certified by the commanding officers of divisions, or brigades, respectively, and by staff officers of the division, or brigade.

Rolls of companies to be certified to adjutant general.

SECTION 86. The commander of a company, within ten days after each tour of camp duty, shall make a correct alphabetical roll of his company, containing the names of the members who appeared armed, uniformed, and equipped, and performed all the duties required on the days of encampment, and transmit the same, certified, under his oath, to be correct and true, to the office of the adjutant general.

Penalty for neglect to comply with the two preceding sections.

SECTION 87. A commanding officer of a company who neglects to make the returns, required by the two preceding sections, shall forfeit twenty-five dollars, and for making a false return, in any case, shall forfeit one hundred dollars, to the use of the brigade fund.

Commanders of regiments and battalions to make returns of field and staff officers.

SECTION 88. On the last day of each tour of camp duty, commanders of regiments and battalions, shall make correct certified rolls of the field, and staff, officers of their several commands, on duty, for each day, specifying the names, and rank, of each officer, who appeared armed, uniformed, and equipped, on any day, and deliver the same to the brigade major, or inspecting officer of the camp; every officer, neglecting to make such returns, shall forfeit, for each offence, fifty dollars, and for making a false return, in any case, two hundred dollars, to the use of the brigade fund.

Brigade majors to make returns of brigades.

SECTION 89. Brigade majors, within twenty days after each tour of camp duty, done by their respective brigades, or the regiments, or battalions, thereof, shall make, and transmit to the commander of the brigade, a correct return of such brigades, reporting therein, the condition of the arms, accoutrements, and ammunition, of the several commands, with such suggestions, relating to the government of the militia, and the advancement of order and discipline, as, in his judgment, may be required; and, also, in like manner, make, and transmit to the commander of division, a certified roll of the general, field, and staff, officers of their several brigades, specifying the rank of any one who appeared uniformed and equipped, and performed duty on any day; for neglect to make either of said returns, each brigade major shall forfeit seventy-five dollars, and for making a false return, in any case, three hundred dollars, to the use of the brigade fund.

Also, rolls of general, field, and staff, officers

Brigade commanders to transmit returns to commanders of divisions.

SECTION 90. Commanders of brigades shall, within thirty days after each tour of camp duty, performed by the troops, under their respective commands, transmit to the commanders of their divisions, a correct return of their respective brigades, as furnished by the brigade majors, under the preceding section; commanders of divisions shall, within ten days after the receipt of such returns of brigades, under their respective

commands, transmit to the office of the adjutant general, correct returns of the state of their divisions, as derived from such brigade returns; each officer, for neglect to make the returns required of him, under this section, shall forfeit, to the use of the state, for each offence, one hundred dollars, to be prosecuted for by the officer, to whom the return should be made.

To be sent by latter to adjutant general.

SECTION 91. Commanders of divisions shall, annually, on, or before, the first day of November, make and transmit to the office of the adjutant general, a certified roll of the general, field, and staff, officers, in their respective divisions, specifying the name, and rank of each one who has appeared armed, uniformed, and equipped, and performed duty on any day; for neglect to make such return, such commander shall forfeit one hundred dollars, to the use of the state, to be prosecuted for by the officer, to whom the return shall be made.

Commanders of divisions to transmit rolls of officers.

#### CALLING OUT THE MILITIA IN CASE OF WAR, INVASION, INSURRECTION, TUMULT, OR RIOTS.

SECTION 92. When an invasion of, or insurrection in, the state is made, or threatened, or a tumult, riot, or mob, shall exist, the commander-in-chief shall call upon the militia to repel, or suppress, the same, and may order out divisions, brigades, regiments, battalions, or companies, or may order to be detached, parts, or companies thereof, or any number of men to be drafted therefrom, and may cause officers to be detailed, sufficient, with those attached to the troops, to organize the forces.

Mode of calling out militia.

#### COMPENSATION.

SECTION 93. If any officer, or soldier, is wounded, or otherwise disabled, or is killed, or dies of wounds, received while doing military duty, in active service, he, his widow, or children, shall receive, from the commonwealth, just and reasonable relief.

Widows and children of soldiers killed or disabled, relief of.

SECTION 94. The militia, while in actual service, shall be paid by the adjutant general, in pay rolls prepared, agreeably to such forms, as he may direct, on warrants drawn on the treasury of the commonwealth, by the governor, the same pay and rations, as the regular troops of the United States; and the rations shall be valued at thirty cents each; and every non-commissioned officer, and private, who provides himself with a uniform, and blanket, when called into the service, shall receive, in addition to his stated pay, two dollars; when the militia are discharged from actual service, they shall be allowed pay and rations, to their respective homes.

Pay and rations of militia, relative to.

SECTION 95. All military accounts, arising under the provisions of this act, and not otherwise provided for, including claims against the state, for money expended, in the transmission of military documents, to and from the department of the adjutant general, shall annually, on or before the first day of November, be transmitted to the adjutant general, and examined, and if found correct, certified by him; they shall then, unless it is otherwise specially provided by law, be presented to the auditor general for allowance; and upon such allowance, certi-

Military accounts, how to be settled.

fied by him to the governor, shall be paid to the persons to whom they are severally due, or to their order, at the treasury of the commonwealth; and no military account shall be certified by the adjutant general, or allowed by the auditor general, unless presented to the adjutant general, for allowance, within the time prescribed by law.

## EXCUSES.

Excuses of delinquents, to whom, when, and how made.

SECTION 96. Excuses, for the non-appearance of a soldier, shall be made to the commanding officer of his company, or the officer detailed to discipline the company, within twenty days, after a parade, encampment, or other military duty, from which he has been absent; and, on the delinquent's producing satisfactory evidence, of his inability to appear, such officer shall excuse him; but no such officer shall receive an excuse, for non-appearance, after the expiration of the twenty days; no excuse shall avail such soldier, on a prosecution, for the recovery of a fine, or forfeiture, unless proved to have been made to such officer, before the expiration of the twenty days, unless the delinquent satisfies the court, or justice, before whom the case is tried, that it was not in his power to make such excuse, within the time; such officers shall inform their clerks, of all excuses allowed for non-appearance.

Courts of inquiry and courts martial.

SECTION 97. That proceedings, in courts martial, and courts of inquiry, shall be conducted, in all respects, as provided for in the army of the United States, and punishments inflicted, as in like case, in said army: *Provided*, That the same are not inconsistent with the provisions of this act.

Proceedings for collection of fines, relative to.

SECTION 98. That all proceedings for penalties, accruing under this act, shall be as follows: for all penalties, not exceeding one hundred dollars, by summary conviction, before any alderman of a city, or justice of the peace, and all other penalties, before any court of competent jurisdiction, the said cases to be commenced, and prosecuted to final judgment and collection, under the charge of the district attorneys, of the several counties, who are hereby required to take charge of the same, and who shall be entitled to the same fees, as are allowed by law, in like cases, and in all cases, where the adjutant general is complainant, if not present, his certificate shall be sufficient evidence, that any return has, or has not been made, or that a copy of a return is true.

Claims upon the brigade fund to be audited by board.

SECTION 99. That there shall be a board of officers in each brigade, which shall consist of the commanding officer of the brigade, who shall be the president thereof, the commanding officers of the regiments, or battalions, therein, and the brigade inspector, who shall have power to audit, and adjust, all claims upon the brigade fund, for expenses accruing under the provisions of this act, and shall make their order on the treasurer for the payment thereof.

City or county treasurers may receive and disburse moneys.

SECTION 100. That the treasurer, of any city, or county, is hereby required to receive, and disburse, all moneys arising from this act, payable into the brigade fund, and may retain therefrom one per centum, as fees therefor.



SECTION 101. That any act, or acts, inconsistent with the Repeal. provisions of this act, or authorizing any organization, or organizations, not herein prescribed, are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 212.

## An Act

To provide for the ordinary expenses of the Government, and other general and specific appropriations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following sums be and the same are hereby specifically appropriated, to the several objects hereinafter named, for the year commencing on the first day of June, Anno Domini one thousand eight hundred and sixty-four, to be paid out of any money in the treasury not otherwise appropriated:

Appropriations.

SECTION 2. For the salary of the governor of the commonwealth, four thousand dollars.

Salary of governor and heads of departments.

For the salary of the secretary of the commonwealth, one thousand seven hundred dollars.

For the salary of the deputy secretary of the commonwealth, one thousand five hundred dollars.

For the salary of the auditor general, one thousand seven hundred dollars.

To the present auditor general, the sum of three hundred dollars, out of the surplus fund in the treasury, on the thirtieth day of November, one thousand eight hundred and sixty-two, from receipts under the free banking system, after paying expenses thereof, for his services in connection with said system, and for the examination of military claims, the further sum of two hundred dollars; and to Thomas E. Cechran, late auditor general, the sum of two hundred dollars, for extra services in the examination of military claims, during the last year of his term of office.

For the salary of the surveyor general, one thousand six hundred dollars.

For the salary of the attorney general, three thousand dollars.

For the salary of the state treasurer, one thousand seven hundred dollars.

For the salary of the superintendent of common schools, one thousand six hundred dollars.

For the salary of the state librarian, nine hundred dollars.

Superintendent  
of public print-  
ing.

For the salary of the superintendent of public printing, eight hundred dollars, and for office rent, ninety dollars, or so much thereof as may be expended therefor; and the said superintendent of public printing shall hereafter report, annually, to the legislature, the amount of public printing done, of every kind, and the quantity of paper purchased, and the prices paid for each; that the superintendent of public printing is, hereafter, required to be, and remain, in Harrisburg, three days of each, and every, week.

Executive de-  
partment.

SECTION 3. For the salary of the private secretary of the governor, fifteen hundred dollars; and the governor is hereby authorized to employ a military secretary, at a salary of one hundred and twenty-five dollars per month, so long as the services of said secretary may be necessary, which amount shall be paid, by the state treasurer, upon the warrant of the governor.

For messenger in executive department, seven hundred dollars.

Clerk hire, &c.,  
in state de-  
partment.

SECTION 4. For the salary of the chief clerk in the office of the secretary of the commonwealth, one thousand five hundred dollars.

For the salary of the military clerk, one thousand two hundred dollars, and the further sum of one hundred dollars, to be computed from the first of June, one thousand eight hundred and sixty-three.

For the salary of the commission clerk, one thousand two hundred dollars, and the further sum of one hundred dollars, to be computed from the first of June, one thousand eight hundred and sixty-three.

For the salary of the first transcribing clerk, one thousand two hundred dollars, and the further sum of one hundred dollars, to be computed from the first of June, one thousand eight hundred and sixty-three.

For the salary of the second transcribing clerk, eleven hundred dollars, and the further sum of one hundred dollars, to be computed from the first of June, one thousand eight hundred and sixty-three.

For the salary of the third transcribing clerk, eleven hundred dollars, and the further sum of one hundred dollars, to be computed from the first of June, one thousand eight hundred and sixty-three.

For the record clerk, one thousand two hundred dollars, from the first of August, one thousand eight hundred and sixty-three.

For the salary of the messenger in the state department, seven hundred dollars.

For the salary of the assistant messenger in the state department, one hundred and eighty dollars.

For postage, telegrams, freights, and express charges, in the state department, sixteen hundred dollars, or so much thereof as may be necessary.

For blank books, one hundred dollars, or so much thereof as may be necessary.

For stationery, nine hundred dollars, or so much thereof as may be necessary.

For fuel, and lights, in the state department, one hundred and fifty dollars, or so much thereof as may be necessary.

For cleaning of offices, one hundred and twenty-five dollars, or so much thereof as may be necessary.

For miscellaneous expenses, three hundred dollars, or so much thereof as may be necessary.

For re-fitting the executive chamber and ante-chamber, one thousand dollars.

SECTION 5. For the salary of the chief clerk in the auditor general's office, one thousand seven hundred dollars. Auditor general's office.

For the salary of the clerk in the banking department, one thousand four hundred dollars.

For the salary of the clerk in department for settling accounts of county treasurers, prothonotaries, registers, recorders, clerks of courts, et cetera, one thousand three hundred dollars.

For the salary of the clerk for settling the accounts of corporations, and in charge of the business with foreign insurance companies, reports of railroads, and manufacturing companies, et cetera, one thousand three hundred dollars.

For the salary of warrant, and bond clerk, one thousand three hundred dollars.

For the salary of registering, and copying clerk, one thousand two hundred dollars.

For the salary of clerk in charge of papers relating to the public improvements, formerly owned by the state, for settling accounts of military disbursing officers, and assisting chief, corporation, and warrant clerks, one thousand two hundred dollars.

For salary of clerk for copying accounts, appeals, correspondence, reports, et cetera, eleven hundred dollars.

That the auditor general be authorized to employ an additional clerk, at a salary of one thousand two hundred dollars per annum, if he shall deem necessary, and that the extra clerk already employed by him, be paid at the same rate, for the time during which he has been heretofore employed.

For burglary proof safe, for the use of the banking department, in the auditor general's office, the sum of nine hundred dollars, or so much thereof as may be needed, to be paid out of the surplus fund in the treasury belonging to the free banks.

For salary of messenger, six hundred dollars.

For postage and telegrams, five hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, three hundred and fifty dollars, or so much thereof as may be necessary.

For fuel, seventy-five dollars, or so much thereof as may be necessary.

For miscellaneous expenses of the office, seventy-five dollars, or so much thereof as may be necessary.

Surveyor general's office.

SECTION 6. For the salary of six clerks, in the surveyor general's office, the sum of one thousand two hundred dollars, each, four of whom shall make out, and furnish to each county in this commonwealth, a list of lands, on which the state has any lien, in accordance with the requirements of the act of March twenty-first, Anno Domini one thousand eight hundred and sixty; and one thousand dollars, for arrearages of salaries of last year.

For the salary of the chief clerk in the surveyor general's office, the sum of one thousand five hundred dollars.

For the salary of messenger, six hundred dollars.

For postage in the office of the surveyor general, three hundred and seventy-five dollars, or so much thereof as may be necessary.

For stationery, two hundred dollars, or so much thereof as may be necessary.

For cleaning office, and miscellaneous expenses, one hundred and twenty dollars, or so much thereof as may be necessary.

For fuel, ninety dollars, or so much thereof as may be necessary.

Attorney general's office.

SECTION 7. For the salary of the clerk in the office of the attorney general, fifteen hundred dollars.

For the contingent expenses in the attorney general's office, three hundred and fifty dollars, or so much thereof as may be necessary.

State treasury.

SECTION 8. For the salary of the chief clerk in the office of the state treasurer, one thousand eight hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, one thousand eight hundred and sixty-three.

For the salary of the book-keeper, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, one thousand eight hundred and sixty-three.

For the salary of the account clerk, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, one thousand eight hundred and sixty-three.

For the salary of the recording clerk, one thousand two hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, one thousand eight hundred and sixty-three.

For the salary of the messenger, and night-watch, of the treasury department, seven hundred and fifty dollars, and the further sum of one hundred dollars, to be computed from the first day of May, one thousand eight hundred and sixty-three.

For postage and telegrams, in the treasury department, four hundred and seventy-five dollars, or so much thereof as may be necessary.

For stationery and blank books, two hundred and fifty dollars, or so much thereof as may be necessary.

For express charges, one hundred dollars, or so much thereof as may be necessary.

For fuel and light, seventy-five dollars, or so much thereof as may be necessary.

For miscellaneous expenses, one hundred and fifty dollars, or so much thereof as may be necessary.

SECTION 9. That the state treasurer is hereby required, to pay to each of the commissioners of the sinking fund, the sum of three hundred dollars; and they are hereby authorized, and required, to impose the duties of clerk to said commissioners, upon one of the clerks of the treasurer's department, at an increased salary, not exceeding two hundred dollars per annum. Commissioners of sinking fund and clerk hire.

SECTION 10. For the salary of the assistant adjutant general, the sum of one thousand four hundred dollars Adjutant general's office.

For the salary of the chief clerk, the sum of one thousand two hundred dollars.

For the salary of the pay department clerk, the sum of eleven hundred dollars.

For the salary of the register and recording clerk, eleven hundred dollars.

For the salary of the messenger, the sum of five hundred dollars.

For postage, telegrams and express charges, the sum of twelve hundred dollars.

For blank books, the sum of fifty dollars.

For stationery, the sum of six hundred and fifty dollars.

For fuel and lights, the sum of seventy-five dollars.

For cleaning office, and ordinary repairs, the sum of fifty dollars.

For miscellaneous expenses, the sum of one hundred dollars.

For disbursements, as *ex-officio* pay-master general of the state, the sum of twenty-five thousand dollars, or as much thereof as may be necessary.

To George Bergner, stationery, adjutant general's office, from August twentieth, to September twenty-sixth, one thousand eight hundred and sixty-three, ninety-six dollars and eighty-two cents.

SECTION 11. To the assistant quartermaster, at Harrisburg, thirteen hundred and seventy-five dollars. Quartermaster general's office.

To the chief clerk, one thousand one hundred and seventy-five dollars.

To the messenger, two hundred dollars.

For stationery, postage, and so forth, one hundred and twenty-five dollars.

SECTION 12. For the salary of two clerks, in the office of the board of military claims, the sum of one thousand two hundred dollars each. Board of military claims.

To the assistant commissary general, fourteen hundred dollars.

For the salary of one messenger, the sum of four hundred dollars; for postage, stationery, and incidental expenses of said office, nine hundred dollars, or so much thereof as may be necessary.

That five hundred and sixty-four dollars and forty-cents, or so much thereof as may be necessary, of any money in the treasury not otherwise appropriated, is hereby appropriated to pay for postage, stationery, and miscellaneous expenses of

the board of military claims, from the thirtieth day of July, one thousand eight hundred and sixty-three, to the thirty-first day of May, one thousand eight hundred and sixty-four; and a further sum of three hundred and eighty-three dollars and thirty-three cents, for two clerks, and messenger, from April first, one thousand eight hundred and sixty-four, to May thirty-first, one thousand eight hundred and sixty-four.

Surgeon general's office.

SECTION 13. For the salary of two-clerks, in the office of the surgeon general, nine hundred dollars, each; for the salary of one messenger, the sum of two hundred dollars.

For stationery, express charges, fuel, and light, the sum of one hundred and fifty dollars.

For postage and telegraph dispatches, the sum of two hundred and fifty dollars.

For printing, advertising, et cetera, the sum of one hundred dollars.

For the expenses of the medical boards, in examining surgeons, the sum of four hundred dollars.

Expenses of care of sick and wounded soldiers.

Expenses of care of sick and wounded; salary of assistant surgeon general employed in this service, (surgeon's pay,) the sum of one thousand nine hundred and sixty-six dollars.

For the estimated cost of looking after sick and wounded, providing relief, and expenses of the governor and commissioners, engaged in this service, the sum of three thousand five hundred dollars, or so much of the above several items as may be necessary.

For the cost of medicine furnished for the use of Pennsylvania militia, serving during the raid of one thousand eight hundred and sixty-three, the sum of two hundred and twelve dollars and fifty-eight cents.

Sarah Orr.

For Mrs. Sarah Orr's account, fifteen patients, at Camp Orr, the sum of fifty-four dollars and seventy-five cents.

Amelia Mower.

For Mrs. Amelia Mower's account, one patient, nine weeks, the sum of twenty-seven dollars.

Mary Williams.

For Mrs. Mary Williams, at Hollidaysburg, attending sick soldiers, four weeks, including board, the sum of twenty dollars.

Executive military department.

SECTION 14. For the salary of one clerk, and messenger, employed in the military department of the executive office, for the term of sixteen months, the sum of eight hundred dollars; for postage, stationery, and other incidental expenses, the sum of five hundred dollars.

For services rendered by Samuel D. Miles, as messenger, et cetera, prior to February, one thousand eight hundred and sixty-four, the sum of one hundred dollars.

Transportation and telegraph department.

SECTION 15. For cost of transportation, for the year ending June first, one thousand eight hundred and sixty-five, fifty thousand dollars, or so much thereof as may be necessary, to be settled by the auditor general, in the usual manner; and the chief of transportation is authorized to pay, out of said sum, the expense of dis-interring, and carrying to the place of burial, the bodies of deceased soldiers of Pennsylvania regiments, the transportation, where it has not been furnished by the state, to be computed at the rate of two cents per mile.

To defray the expenses of telegraphing, during the same period, ten thousand dollars, or so much thereof as may be ne-

ecessary, to be settled by the auditor general in the usual manner.

For the salary of the chief of department, fifteen hundred dollars; one permanent clerk, one thousand dollars.

For messenger, one hundred and fifty dollars.

For postage, stationery, fuel, and incidental expenses, three hundred dollars, or so much thereof as may be necessary; to defraying expenses of telegraphing, for year ending June first, one thousand eight hundred and sixty-four, one thousand dollars.

For Adams express company, transportation, for different Adams express departments, two hundred and six dollars and twelve cents. company.

To Levi Weaver, for hauling done for different departments, Levi Weaver. three hundred and forty-eight dollars and twenty-five cents, which last three items are to be paid out of the general appropriation for transportation department.

SECTION 16. For the payment of pensions and gratuities, Pensions and the sum of seven thousand dollars, and such further sums as gratuities. may be necessary, to pay to the widows and children of deceased soldiers, such sum, or sums, as they may be entitled to receive, according to law.

For James Hogan, a discharged soldier, of the one hundred James Hogan. and twenty-seventh regiment, Pennsylvania volunteers, who was wounded at the battle of Fredericksburg, on the thirtieth of December, Anno Domini one thousand eight hundred and sixty-two, the sum of one hundred dollars, for the purpose of purchasing an iron brace, or support for his leg.

For the payment of warrants drawn, up to April first, one Warrants, out- thousand eight hundred and sixty-four, and now outstanding, standing, for by authority of law, under the direction of the board of mili- military claims. tary claims, one hundred and twenty-nine thousand five hundred and eight dollars and thirty-two cents.

That two hundred and thirty-one dollars and fifty cents, or Fager & Maeyer so much thereof as may be necessary, is appropriated to pay the claim of Fager & Maeyer, for work, labor, and materials, at the Harrisburg arsenal.

To Kay & Co., of Pittsburg, ninety dollars and fifty cents, for Kay & Co. stationery, furnished to Colonel M'Lean's regiment, and others, while at camp Wilkins, near Pittsburg.

For the repairs of the powder magazine, in the city of Phila- Repairs of pow- delphia, the sum of one hundred dollars, to be expended under der magazine, the direction of the superintendent; satisfactory vouchers, for Philadelphia. which, shall be produced to the auditor general.

SECTION 17. For the salary of the deputy superintendent of School depart- common schools, one thousand four hundred dollars. ment.

For the salary of the warrant clerk, in the school department, one thousand two hundred dollars.

For the salary of the report clerk, one thousand two hundred dollars.

For the salary of the letter clerk, one thousand two hundred dollars.

For the salary of the messenger, six hundred dollars.

For stationery and blank books, in the school department, three hundred dollars, or so much thereof as may be necessary.

For postage, telegrams, and express expenses, one thousand dollars, or so much thereof as may be necessary.

For fuel, light, cleaning office, and miscellaneous expenses of the school department, one hundred and ten dollars, or so much thereof as may be necessary.

For expenses in packing, and distributing blank forms, reports, school laws, and decisions, to the school districts of the state, six hundred dollars, or so much thereof as may be necessary.

For engraving, and printing warrants, for district appropriation, and teachers' diplomas and certificates, two hundred and seventy-five dollars.

For cleaning department, and miscellaneous, one hundred dollars.

Common and  
Normal schools.

SECTION 18. For the support of the common schools, to be paid on warrants, to be drawn by the superintendent, in favor of the several school districts of the commonwealth, the sum of three hundred and sixteen thousand and eight hundred and twenty-five dollars, inclusive of the salaries of the county superintendents, and of five thousand dollars, to the state Normal school of the fifth district, in Mansfield, Tioga county, and of one dollar a year, for one copy of the Pennsylvania School Journal, to be subscribed for, and sent to each board of school directors in the state, for public use, according to the act of assembly, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-five, for the school year which will begin on the first Monday in June, Anno Domini one thousand eight hundred and sixty-four, to be accounted for in the usual manner: *Provided*, That the city of Philadelphia shall be entitled to a proportion, on said basis, without contributing to the salaries of the county superintendents: *Provided also*, That the Mansfield Normal school shall not alienate, nor divert, to any other uses than those provided by the act of May twentieth, one thousand eight hundred and fifty-seven, any of the real, or personal, property belonging to said school, without first re-imbursing, to the state, the whole amount of any appropriation that has been made for its use and benefit, and the same shall be, and hereby is, made the first lien upon said premises, until re-paid: *And provided further*, That the sums, hereinbefore given to the State Normal school, shall only be payable, on production, to the superintendent, of a duly certified copy of the proceedings of a general meeting of the stockholders thereof, respectively, held, after thirty days' public notice, for the purpose of agreeing, by a majority of said contributors, or stockholders, that the capital stock thereof shall be reduced by an amount equal to that hereby appropriated by the state, (to effect which reduction, when thus agreed to, authority is hereby given, to the trustees of said school, to call in the present certificates of stock, and issue others, in lieu thereof, of such amounts as shall effect said reduction,) and that, should dividends, hereafter, be declared by said school, such dividends shall in no case exceed six per centum on said reduced capital stock.

Proviso.

Proviso.

Proviso.

State library.

SECTION 19. For the salary of assistant librarian, one hundred and fifty dollars.



For extra compensation to assistant librarian, for services rendered during the invasion of the state by the rebels, two hundred dollars.

For the purchase of law, and miscellaneous, books, six hundred dollars.

For the exchange of law books, including Purdon's Digest, three hundred and fifty dollars, or so much thereof as may be necessary.

For postage, freight on books, stationery, purchasing books, cleansing apartments, making fires, et cetera, three hundred dollars, or so much thereof as may be necessary.

For binding, one hundred dollars, or so much thereof as may be necessary.

For carpeting, and upholstery work, in library room, seven hundred and seventy-eight dollars and fifty-seven cents, the bill to be passed by the auditor general in the usual manner.

For ventillators, and for risers on gallery steps, in library room, thirty-eight dollars.

SECTION 20. For the salaries of the judges of the supreme court, the sum of twenty-three thousand eight hundred dollars, of which, the chief justice is to receive five thousand dollars, and each associate, four thousand seven hundred dollars, for the present year, and no longer, to be in lieu of all daily pay, mileage, or other expenses, now allowed by any law. Judges of supreme court.

SECTION 21. For the payment of the salaries of the judges of the district court, and the judges of the court of common pleas of the city of Philadelphia, the sum of twenty-two thousand two hundred dollars, or three thousand seven hundred dollars to each judge, for the present year, and no longer. Judges, Philadelphia.

SECTION 22. For the payment of the judges of the district court, and the president, and assistant law judges, of the court of common pleas of the county of Allegheny, eighteen thousand dollars, or three thousand six hundred dollars to each one of the law judges, for the present year. Judges, Allegheny county.

SECTION 23. For the payment of the salaries, and mileage, of the president, additional, and associate, law judges, of the several courts of common pleas in this commonwealth, except in the city of Philadelphia, and the county of Allegheny, the sum of seventy-three thousand dollars, or so much thereof as may be necessary; each president, and law judge, to receive two thousand five hundred dollars salary, during the present year, and no longer; and to the president judge of the twelfth judicial district, the further sum of three hundred dollars, for the present year, in addition to the amount now allowed by law, for extra services, in trying the commonwealth civil cases in the county of Dauphin. Judges of courts of common pleas.

SECTION 24. For the payment of the salaries, and mileage, of the associate judges of the courts of this commonwealth, the sum of forty thousand dollars, or so much thereof as may be necessary. Associate judges.

SECTION 25. For the payment of the interest on the funded debt of the commonwealth, which will fall due on the first days of July and August, Anno Domini one thousand eight hundred and sixty-four, and on the first days of January and February, Anno Domini one thousand eight hundred and sixty- Interest on state debt.

five, the sum of one million nine hundred and seventy-six thousand seven hundred and seventy-three dollars, or so much thereof as may be necessary.

Printing. SECTION 26. For the public printing, folding, stitching, and binding, thirty-five thousand dollars, or so much thereof as may be necessary, on settlement of the account of the public printer, according to law: *Provided*, That the state printers shall be allowed an increase for the blanks printed under their contract, between the first day of July, Anno Domini one thousand eight hundred and sixty-three, and the first day of July, Anno Domini one thousand eight hundred and sixty-four, equal to fifteen cents per pound on the paper used in such blanks.

Legislature. SECTION 27. For the payment of the expenses of the legislature, including the pay and mileage of members, clerks, and officers thereof, and the amount authorized by law for stationery, et cetera, the sum of one hundred and fifty thousand dollars, or so much thereof as may be necessary, to be settled by the auditor general, according to law; and that the chief, assistant, and transcribing clerks of the House of Representatives and Senate, shall each receive two hundred dollars, in addition to their present salary.

Additional compensation to clerks. SECTION 28. For packing and distributing the laws and journals of the legislature, to be performed under the direction of the secretary of the commonwealth, seven hundred dollars, or so much thereof as may be necessary.

Packing and distributing laws. SECTION 29. For miscellaneous expenses, to be first audited by the auditor general, before being paid by the state treasurer, the sum of seven thousand dollars, or so much thereof as may be necessary.

Miscellaneous expenses. SECTION 30. For the payment to the city of Harrisburg, for supplying the public buildings with water, according to the act of April twenty-eighth, Anno Domini one thousand eight hundred and forty, the sum of six hundred dollars; and, also, for gas for the public buildings and walks, such amount as may be found due the Harrisburg gas company, on the contract with the company, and upon a regular account being rendered to the auditor general, who is hereby authorized to examine and settle the same, in the same mode and manner as other accounts are settled in said department, in pursuance of its charter, and supplement, to be paid on the warrant of the auditor general.

Water and gas for public buildings. SECTION 31. For erecting wings to the capitol, according to the original plan, the sum of fifty thousand dollars, or so much thereof as may be necessary; the money to be expended under the direction of the governor, auditor general, surveyor general, and state treasurer; and that for the purpose of raising revenue to meet said appropriation, an additional enrolment tax of ten dollars, shall be charged upon every private bill, hereafter passed by the legislature, and that shall become a law, except upon those granting pensions and gratuities:

For the erection of wings to capitol. *Provided*, That the cost of constructing said wings shall not exceed fifty thousand dollars: *Provided further*, The arranging of the desks, tables, cases, shelving, and furniture of the rooms of said wings, to be done under the direction of the

Additional enrolment tax to be charged.

Proviso.

Proviso.

clerks of the two houses; the accounts for which to be settled by the auditor general, and paid in the usual manner.

SECTION 32. For the superintendent, and watchman of the public buildings and grounds, the sum of three dollars per day, during the period of his appointment. Public buildings and grounds.

For wages, and incidental expenses on public grounds and the capitol, making brick gutters along the walks, and purchasing and planting trees, the sum of two thousand dollars, or so much thereof as may be necessary, to be expended by the superintendent, under the supervision and direction of the governor, and auditor general; and that the clerks, of the two houses, be and they are hereby authorized to make all necessary repairs to the public buildings at the capitol, the accounts to be settled in the usual manner by the auditor general, and paid upon the joint order of said clerks.

SECTION 33. For George Bergner, eight dollars and fifty cents per page, for the Legislative Record, published during the present session of the legislature, the amount to be certified by the superintendent of public printing, and upon such certificate, the state treasurer shall pay the same; and for making an index to the same, the further sum of one hundred and fifty dollars is appropriated to the publisher of the Record: *Provided*, That the making of the index does not detain the forwarding of the bound copies, more than four weeks after the adjournment of the legislature; and the said publisher is hereby authorized to continue the publication of said Record, at the next session of the legislature, under the terms and conditions of the existing contract, until the two houses otherwise order, or a new contract is made for such publication. George Bergner, publication of Record.  
Proviso.  
Contract to continue.

SECTION 34. For each of the fire companies of the city of Harrisburg, the sum of one hundred dollars. Fire companies, Harrisburg.

SECTION 35. For transcribing for the committee of ways and means, to be paid on the order of the chairman, the sum of sixty dollars; for transcribing for finance committee of the Senate, to be paid on the order of the chairman, the sum of thirty dollars. Transcribing for committees.

SECTION 36. That the state treasurer is hereby authorized, and directed, to pay to each of the chief clerks of the Senate and House of Representatives, the usual per diem, for ten days' service, after the close of the session, and the usual per diem to three additional officers, who may be kept, by each clerk, to assist him in his duties; and to the chief clerk of the Senate and House, for the expense of indexing the journals, the sum of one hundred and twenty-five dollars, each; and for miscellaneous expenses of the chief clerks of the Senate and House of Representatives, attendant upon their duties during the recess, each, the sum of one hundred dollars; and that the pasters and folders, of the House, shall be entitled to the same compensation as the assistant door-keepers. Miscellaneous expenses, &c., of chief clerks of Senate and House.

SECTION 37. For the payment of John A. Smull, for his services to the House of Representatives, as an assistant clerk for the present session, and for services during the recess, filing away, and taking charge of, the papers and documents, the sum of one thousand dollars; and it shall be his duty to receive, from the state printers, the bound copies of the Daily John A. Smull.

Record, and forward the same to the address of the members of the legislature, as soon as practicable after the adjournment; and he shall also receive the same additional compensation, as is allowed to the clerks and assistants, by sections twenty-seven and forty-one of this act.

Pages.

SECTION 38. That the state treasurer is hereby authorized to pay to the chief clerk of the Senate and House of Representatives, the sum of one dollar and twenty-five cents per day, for each of the pages employed by the Senate and House, during the present session, the vouchers for the same to be furnished in the usual manner

John Vogelsong,  
Edward Chap-  
pel, Josiah M'-  
Farland, Ste-  
phen Holland,  
Daniel Krouse,  
Wm. Madara.

SECTION 39. That the state treasurer is authorized to pay to the chief clerk of the House, the sum of two dollars and fifty cents per day, for sixty days, for John Voglesong, and the sum of two dollars and fifty cents per day, for Edward Chappel, Josiah M'Farland, and Stephen Holland, for each day employed, the number of days to be certified by the clerk of the House, in cleaning, and keeping in order, the closets in the basement of the capitol; and also to Daniel Krouse, the door-keeper in the rotunda, the sum of two dollars per day, the actual number of days employed, to be certified to by the clerk of the House; and to William Madara, the sum of two dollars per day, as assistant.

Firemen.

SECTION 40. For the payment of the firemen having in charge the furnaces in the basement, the sum of two dollars and fifty cents per day, the actual number of days employed, to be certified to by the clerks of the two houses.

Packing and  
distributing the  
Daily Record.

SECTION 41. For the payment of express charges, packing and distributing bound copies of the Daily Legislative Record, and for the expense of folding and mailing the back numbers of the Daily Record, for the members of the House of Representatives, the sum of four hundred dollars, or so much thereof as may be necessary, to be disbursed by the clerk of the House of Representatives; and for the payment of express charges, packing and distributing bound copies of the Daily Legislative Record, and for the expense of folding and mailing the back numbers of the Daily Record, for the members of the Senate, the sum of two hundred and fifty dollars, or so much thereof as may be necessary, to be disbursed by the clerk of the Senate; and to the several officers of the Senate and House of Representatives, whether elected, or appointed, except the speaker and pages, an extra allowance, as follows, viz: to the chief clerks, assistant clerks, and transcribing clerks, the sum of one hundred dollars; and to each of the other officers, the sum of two hundred dollars, in addition to the pay and salary now allowed by law, for services during the present session; to the several pages, the sum of ten dollars extra, and to the several women employed by the clerks of the two houses, to cleanse the halls, the sum of twenty dollars extra.

Extra compen-  
sation to officers  
of the legisla-  
ture, &c.

Salaries and  
appropriations,  
how to be paid.

SECTION 42. That all annual salaries, herein provided for, and also all appropriations to penitentiaries, and houses of refuge, and charitable institutions, shall be paid quarterly, at the office of the state treasurer, unless otherwise provided by law; and that no money appropriated by this act, for any spe-

cific object, shall be applied to any other, in any of the charitable institutions, penitentiaries, or houses of refuge.

SECTION 43. To the widow of William P. Brady, for his services, as librarian of the Senate, the same compensation as is allowed to a transcribing clerk, to the end of the session ; to Jacob Styer, for extra services as librarian, the sum of two hundred and fifty dollars, and for twenty-five days' service, during the recess, at the same rate as a transcribing clerk ; the said librarian to place forty copies of the Daily Legislative Record at the public bindery, to be bound, thirty-five copies for the use of the senators, and principal clerks, four copies for the state library, and one to be reserved for the use of the Senate, and to be distributed, to the senators and clerks, with the laws and journals, by the secretary of the commonwealth ; and to John A. Smull, the further sum of one hundred dollars, for taking charge of the archives of the House of Representatives, during the recess of one thousand eight hundred and sixty-three ; and one hundred dollars to Jacob Styer, for similar services, on the part of the Senate, during the recess of one thousand eight hundred and sixty-four.

SECTION 44. To William L. Cooper, for services rendered the House of Representatives, and to Quincy Hoover, for services rendered the Senate, the same pay, and extra compensation, of an assistant door-keeper, during the present session ; and to J. R. M'Affee, the pay, and extra compensation, of a transcribing clerk, from March first, one thousand eight hundred and sixty-four ; and to Lucius Rogers, the pay, mileage, and extra compensation, of a transcribing clerk, from March first, one thousand eight hundred and sixty-four.

SECTION 45. For the salary of the assistant postmaster of the House of Representatives, the same pay, and mileage, of a transcribing clerk.

SECTION 46. For the payment of reverend John W. Davis, for one year's services, in the performance of the duties of chaplain, at Camp Curtin, the sum of six hundred dollars.

SECTION 47. That each member of any committee, appointed by the House, or Senate, and required to leave the city of Harrisburg, in the discharge of his duties, shall be entitled to the amount of fifty dollars, and to the sergeant-at-arms, and witnesses, who were in attendance before said committees, the usual per diem, and mileage, and to the sergeant-at-arms ; the actual expenses incurred by said committee, to be certified to by the chairman of such committee.

To James Onslow, clerk of the military committee, one hundred and forty-seven dollars.

To Leonard G. Cunkle, for repairing locks, for revenue commissioners, the sum of eleven dollars and twenty-five cents.

To George Bergner, fifty dollars and ninety-six cents, money paid by him to Adams and Howard express companies, for Legislative Records, and documents, sent to members of the Senate, during the year one thousand eight hundred and sixty-three.

For defraying the medical and funeral expenses of P. Brady, late librarian of the Senate, the sum of one hundred and fifty dollars, or so much thereof as may be necessary, to

Widow of Wm. P. Brady.

Jacob Styer.

John A. Smull.

Jacob Styer.

Wm. L. Cooper.

Quincy Hoover.

J. R. M'Affee.

Lucius Rogers.

Assistant postmaster.

John W. Davis.

Expenses of special committees of legislature.

James Onslow.

L. G. Cunkle.

George Bergner

Medical and funeral expenses of Wm. P. Brady.

be paid by the state treasurer, upon the certificate of the clerk of the Senate.

Insurance on capitol buildings, &c.

Sergeant-at-arms of House.

Mileage and fees for summoning witnesses.

G. L. Braun.

Sergeant-at-arms of the Senate.

Investigating committee.

Deaf and dumb.

Blind.

Western Pennsylvania hospital.

Pennsylvania State Lunatic hospital.

New Brighton Insane asylum.

The sum of five thousand dollars, or so much thereof as may be necessary, to enable the state treasurer and auditor general, to effect a perpetual insurance of eighty thousand dollars, upon the capitol buildings and furniture: and that the sergeant-at-arms, of the House of Representatives, be paid by the state treasurer, the per diem allowance made by existing laws, for each day served by him in attendance upon the committee appointed by the House of Representatives, to investigate the condition of Camp Curtin; and, also, the mileage allowed by existing laws for distance traveled, in summoning witnesses before said committee, and the fees allowed by law for summoning said witnesses, the number of days served, the distance traveled, and the number of witnesses summoned, to be certified to by the chairman of said committee.

To Captain G. L. Braun, clerk of select committee, investigating frauds on soldiers, the usual per diem pay and mileage, to be certified by the chairman of the committee; and to the sergeant-at-arms of the Senate, for serving subpoenas, et cetera, the usual fees and mileage, allowed the sergeant-at-arms, to be certified by the chairman.

To the acting members of the committee appointed at the last session of the legislature, to investigate the public institutions, to which the state makes annual appropriations, to each member of said committee, five hundred dollars, and to clerk of said committee, four hundred dollars

SECTION 48. For the instruction of indigent pupils in the Pennsylvania institution for the instruction of the deaf and dumb, twenty-five thousand dollars, to be paid, in proportion to the number of indigent pupils from the several counties of the commonwealth, at the rates prescribed by law, the evidence of which is to be presented to the state treasurer.

SECTION 49. For the Pennsylvania institution for the instruction of the blind, the sum of twenty-four thousand eight hundred dollars, to be paid, in proportion to the number of indigent pupils from the several counties of the commonwealth, at the rates prescribed by law, the evidence of which is to be furnished to the state treasurer.

SECTION 50. For the Western Pennsylvania hospital, twelve thousand four hundred dollars, to be applied to the salaries of officers, of which, three hundred is for a chaplain; and the further sum of forty-five thousand dollars, towards foundation of a new wing, finishing ice house, laundry, boiler house, and machinery, engine, and cost of patients.

SECTION 51. For the Pennsylvania State Lunatic hospital, at Harrisburg, for the payment of salaries and wages, and for repairs to the building and machinery, and for the support of the house, the sum of twelve thousand dollars.

SECTION 52. For the New Brighton insane asylum, under the supervision of doctor Kendrick, five thousand dollars: *Provided*, That the property shall not be alienated from its present object, without this entire appropriation being re-im-bursed to the commonwealth.

SECTION 53. For the Pennsylvania training school for feeble Feeble minded  
minded children, at Media, in the county of Delaware, the usual children.  
sum for each pupil, as provided by the act of incorporation :  
*Provided*, That the number of said pupils shall not exceed  
eighty.

SECTION 54. For the payment of the salaries of the officers Eastern peni-  
of the Eastern penitentiary, the sum of twelve thousand eight tentiary.  
hundred dollars, in equal quarterly payments, on, or before,  
the fifteenth day of the months of June, September, and De-  
cember, Anno Domini one thousand eight hundred and sixty-  
four, and March, Anno Domini one thousand eight hundred and  
sixty-five, and two thousand dollars additional, for arrears of  
wages of the officers of said penitentiary, for the year one thousand  
eight hundred and sixty-four ; and for each discharged convict  
from the city of Philadelphia, or whose residence is within fifty  
miles thereof, the sum of five dollars ; and ten dollars to each  
convict whose residence, or settlement, is fifty miles, or over,  
from the penitentiary ; and for books and stationery, for the  
use of the convicts, two hundred and fifty dollars, to be ex-  
pended under the direction of the warden, or so much thereof  
as may be necessary, and to be accounted for to the auditor  
general ; and the sum of ten thousand dollars is hereby ap-  
propriated to re-pay, to the state penitentiary for the Eastern  
district, the balance of the cost for introducing a supply of  
fresh water in said penitentiary.

SECTION 55. For the payment of the salaries of the officers Western peni-  
of the Western penitentiary, the sum of thirteen thousand tentiary.  
eight hundred and thirty dollars, to be paid in equal quarterly  
payments, on, and after, the fifteenth day of the months of  
June, September, and December, Anno Domini one thousand  
eight hundred and sixty-four, and March, Anno Domini one  
thousand eight hundred and sixty-five ; and for each discharged  
convict, whose residence, or settlement, is within fifty miles  
of said penitentiary, the sum of five dollars, and ten dollars  
to each discharged convict, whose residence, or settlement,  
is fifty miles, or over, from said penitentiary.

For books and stationery, for the use of the convicts, two  
hundred and fifty dollars, to be expended under the direction  
of the warden, or so much thereof as may be necessary, and  
to be accounted for to the auditor general.

SECTION 56. For the House of Refuge, in Philadelphia, House of Re-  
twenty-four thousand dollars. fuge, Phil'a.

SECTION 57. For the House of Refuge of Western Penn- House of Re-  
sylvania, in the county of Allegheny, the sum of fifteen thou- fuge, Allegh-  
sand five hundred and fifty dollars, for workshops and repairs ny county.  
to dormitories, dining room, bath room, and bake ovens, ac-  
cording to specifications furnished, or so much thereof as may  
be necessary.

For the salaries of officers, for the year one thousand eight  
hundred and sixty-four, the sum of eight thousand dollars.

SECTION 58. For the Lutheran Orphans' home, at German- Orphans'  
town, the sum of two thousand dollars. Home, Ger-  
mantown.

SECTION 59. For the School of Design, the sum of five thou- School of De-  
sand dollars : *Provided*, That one thousand dollars of this sign.  
sum be expended in procuring, from European schools of science

and art, standard examples of architecture and ornament, as applied to manufactures, copies of which are to be distributed to the principal manufacturing centres of the state: *And provided*, That the School of Design report to the next legislature, that this provision has been complied with: *Provided*, That ten thousand dollars shall have been subscribed and paid in by the citizens of Philadelphia, for the purchase and alteration of buildings for said school.

Home for colored children,  
Philadelphia.  
Northern Home

SECTION 60. For the Home for destitute colored children of Philadelphia, the sum of one thousand dollars.

Foster Home.

SECTION 61. For the Northern Home for the friendless children, the sum of five thousand dollars.

Jewish Foster Home.

And for the Foster Home, of the city of Philadelphia, the sum of twenty-five hundred dollars.

Penn Widows' asylum.

For the Jewish Foster Home, of Philadelphia, the sum of five hundred dollars.

Home for children, Lancaster.

SECTION 62. For the Penn Widows' asylum, the sum of two thousand dollars.

SECTION 63. For the Home for friendless children, for the city and county of Lancaster, the sum of two thousand five hundred dollars.

St. Joseph's hospital.

SECTION 64. For the St. Joseph's hospital, Philadelphia, the sum of five thousand dollars.

Wills hospital.

SECTION 65. For Wills hospital, in the city of Philadelphia, the sum of four thousand dollars: *Provided*, That the same shall be expended in the treatment of those patients who are unable to pay, and a detailed statement thereof shall be made to the auditor general.

Pittsburg infirmary.

SECTION 66. For the Pittsburg infirmary, the sum of four thousand dollars.

Mercy hospital.

SECTION 67. For the Mercy hospital, the sum of four thousand dollars; and that said sum shall be paid over to William H. Smith, James Herdman, R. J. Grace, James M'Cabe, W. H. M'Gee, James P. Barr, John B. M'Fadden, and James Woodwell, of the county of Allegheny, and distributed under their directions; and said persons shall make report, in detail, to the next session of the legislature, of the manner in which said sum shall have been distributed.

Home of the Friendless,  
Pittsburg and Allegheny.

SECTION 68. For the Home of the Friendless, of the cities of Pittsburg and Allegheny, the sum of five thousand dollars, conditioned on ten thousand dollars being raised by subscription.

Soldiers' Home, Philadelphia.

SECTION 69. For the Soldiers' Home, of Philadelphia, the sum of five thousand dollars.

Episcopal hospital.

SECTION 70. For the Episcopal hospital, Philadelphia, the sum of five thousand dollars.

St. Paul's Orphan asylum.

SECTION 71. To St. Paul's Orphan asylum, of the city of Pittsburg, for the support of children of soldiers, three thousand dollars.

Institutions to make report of expenditures.

SECTION 72. That all the institutions, to which appropriations are made by this act, not now required by law to report, and account for appropriations, shall make a detailed report of the expenditures of said appropriations to the legislature, before the first February, one thousand eight hundred and sixty-five.



SECTION 73. For the Rosine association, of Philadelphia, two thousand dollars. Rosine association.

SECTION 74. That the sum of twenty thousand dollars, or so much thereof as may be necessary, be and is hereby appropriated to pay the proportionate share of the commonwealth of Pennsylvania, of the expenses of the Soldiers' National Cemetery, at Gettysburg, in enclosing, laying out, and ornamenting the grounds, erecting the suitable head-stones, and a monument, or monuments therein, and the expenses connected with the care, and burial of the dead, and for services of agent of the state, at Gettysburg; the same to be paid, from time to time, by the state treasurer, to the corporation of the Soldiers' National Cemetery, upon the warrants of the governor. Soldiers' National cemetery.

SECTION 75. For the expense of advertising the amendments to the constitution, already incurred, and that will be incurred, the sum of ten thousand dollars, or so much thereof as may be necessary. Advertising amendments to the constitution.

SECTION 76. For the payment of express charges, packing, and distributing the report of the committee to investigate frauds on soldiers, and mailing them, or expressing them, to senators, the sum of two hundred dollars, or so much thereof as may be necessary, to be disbursed by the clerk of the Senate; and for similar expenses, for House of Representatives, the sum of two hundred dollars, to be disbursed by the clerk of the House of Representatives; and for express charges and expenses in packing, and forwarding, the reports of the committee on Gettysburg battle field, to members of the House, the further sum of two hundred dollars, to be paid to the clerk of the House. Packing and distributing reports of special committees.

SECTION 77. The sum of two hundred and ninety-nine dollars and seven cents, to be disbursed by the chairman of the committee on refugees, in accordance with instructions from the House of Representatives. Committee on refugees.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 213.

*An Act*

To fix the number of Senators, and Representatives, and to form the State into districts, in pursuance of the provisions of the Constitution.

Senatorial districts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That until the next septennial enumeration of the taxable inhabitants, and an apportionment thereon, the Senate shall consist of the thirty-three members, and be apportioned as follows, to wit :

I. The First, Second, Third, Fourth, Seventh, Eighth, and Twenty-sixth, wards, of the city of Philadelphia, shall compose the First district, and elect one senator.

II. The Ninth, Tenth, Thirteenth, Fourteenth, and Fifteenth, wards, of the city of Philadelphia, shall compose the Second district, and elect one senator.

III. The Fifth, Sixth, Eleventh, Twelfth, Sixteenth, Seventeenth, and Eighteenth, wards, of the city of Philadelphia, shall compose the Third district, and elect one senator.

IV. The Nineteenth, Twentieth, Twenty-first, Twenty-second, Twenty-third, Twenty-fourth, and Twenty-fifth, wards, of the city of Philadelphia, shall compose the Fourth district, and elect one senator.

V. The counties of Chester, Delaware, and Montgomery, shall compose the Fifth district, and elect two senators.

VI. The county of Bucks shall compose the Sixth district, and elect one senator.

VII. The counties of Lehigh, and Northampton, shall compose the Seventh district, and elect one senator.

VIII. The county of Berks shall compose the Eighth district, and elect one senator.

IX. The county of Schuylkill shall compose the Ninth district, and elect one senator.

X. The counties of Carbon, Monroe, Pike, and Wayne, shall compose the tenth district, and elect one senator.

XI. The counties of Bradford, Susquehanna, and Wyoming, shall compose the Eleventh district, and elect one senator.

XII. The county of Luzerne shall compose the Twelfth district, and elect one senator.

XIII. The counties of Potter, Tioga, M'Kean, and Clinton, shall compose the Thirteenth district, and elect one senator.

XIV. The counties of Lycoming, Union, and Snyder, shall compose the Fourteenth district, and elect one senator.

XV. The counties of Northumberland, Montour, Columbia, and Sullivan, shall compose the Fifteenth district, and elect one senator.

XVI. The counties of Dauphin, and Lebanon, shall compose the Sixteenth district, and elect one senator.

XVII. The county of Lancaster shall compose the Seventeenth district, and elect two senators.

XVIII. The counties of York, and Cumberland, shall compose the Eighteenth district, and elect one senator.

XIX. The counties of Adams, and Franklin, shall compose the Nineteenth district, and elect one senator.

XX. The counties of Somerset, Bedford, and Fulton, shall compose the Twentieth district, and elect one senator.

XXI. The counties of Blair, Huntingdon, Centre, Mifflin, Juniata, and Perry, shall compose the Twenty-first district, and elect two senators.

XXII. The counties of Cambria, Indiana, and Jefferson, shall compose the Twenty-second district, and elect one senator.

XXIII. The counties of Clearfield, Cameron, Clarion, Forest, and Elk, shall compose the Twenty-third district, and elect one senator.

XXIV. The counties of Westmoreland, Fayette, and Greene, shall compose the Twenty-fourth district, and elect one senator.

XXV. The county of Allegheny shall compose the Twenty-fifth district, and elect two senators.

XXVI. The counties of Washington, and Beaver, shall compose the Twenty-sixth district, and elect one senator.

XXVII. The counties of Lawrence, Butler, and Armstrong, shall compose the Twenty-seventh district, and elect one senator.

XXVIII. The counties of Mercer, Venango, and Warren, shall compose the Twenty-eighth district, and elect one senator.

XXIX. The counties of Crawford, and Erie, shall compose the Twenty-ninth district, and elect one senator.

SECTION 2. In those senatorial districts, which are composed of more than one county, the judges of the district elections, in each county, after having formed a return of the whole election, within such county, in such manner as is, or may be, provided by law, shall send the same, by one of their number, to the place, hereinafter mentioned, within the district, of which such county is a part, when the judges, so met, shall cast up the several county returns, and execute, under their hands, and seals, one general, and true, return of the whole district, to wit:

Meetings and  
duties of re-  
turn judges.

The judges of the Fifth district shall meet at the court house, in the borough of Norristown, in the county of Montgomery.

The judges of the Seventh district shall meet at the court house, in the borough of Easton, in the county of Northampton.

The judges of the Tenth district shall meet at the court house, in the borough of Stroudsburg, in the county of Monroe.

The judges of the Eleventh district shall meet at the court house, in the borough of Towanda, in the county of Bradford.

The judges of the Thirteenth district shall meet at the court house, in the borough of Coudersport, in the county of Potter.

The judges of the Fourteenth district shall meet at the court house, in the borough of Lewisburg, in the county of Union.

The judges of the Fifteenth district shall meet at the court house, in the borough of Danville, in the county of Montour.

The judges of the Sixteenth district shall meet at the court house, in the city of Harrisburg, in the county of Dauphin.

The judges in the Eighteenth district shall meet at the court house, in the borough of York, in the county of York.

The judges of the Nineteenth district shall meet at the court house, in the borough of Chambersburg, in the county of Franklin.

The judges of the Twentieth district shall meet at the court house, in the borough of Bedford, in the county of Bedford.

The judges of the Twenty-first district shall meet at the court house, in the borough of Lewistown, in the county of Mifflin.

The judges of the Twenty-second district shall meet at the court house, in the borough of Indiana, in the county of Indiana.

The judges of the Twenty-third district shall meet at the court house, in the borough of Ridgway, in the county of Elk.

The judges of the Twenty-fourth district shall meet at the court house, in the borough of Uniontown, in the county of Fayette.

The judges of the Twenty-sixth district shall meet at the court house, in the borough of Beaver, in the county of Beaver.

The judges of the Twenty-seventh district shall meet at the court house, in the borough of Butler, in the county of Butler.

The judges of the Twenty-eighth district shall meet at the court house, in the borough of Franklin, in the county of Venango.

The judges of the Twenty-ninth district shall meet at the court house, in the city of Erie, in the county of Erie.

Representative  
districts.

SECTION 3. That until the next septennial enumeration of taxables, and apportionment thereon, made, the House of Representatives shall consist of one hundred members, and be apportioned as follows: The city of Philadelphia shall be divided into eighteen districts, viz:

I. The First ward, and the Twenty-sixth ward, except the seventh, and eighth, election divisions, shall compose the First district, and elect one member.

II. The Second ward, except the tenth, and eleventh, divisions, and the first, second, and third divisions of the Third ward, shall compose the Second district, and elect one member.

III. The tenth, and eleventh, divisions of the Second ward; the fourth, fifth, sixth, seventh, and eighth, divisions of the Third ward; the Fourth ward; and the first, and third, divisions of the Fifth ward, shall compose the Third district, and elect one member.

IV. The seventh, and eighth, divisions of the Twenty-sixth ward, and the Seventh ward, shall compose the Fourth district, and elect one member.

V. The second, fourth, fifth, sixth, seventh, and eighth,

divisions of the Fifth ward, and the Eighth ward, shall compose the Fifth district, and elect one member.

VI. The first, fourth, fifth, sixth, seventh, and eighth, divisions, of the Sixth ward; and the first, second, third, fourth, fifth, sixth, and seventh, divisions of the Ninth ward, shall compose the Sixth district, and elect one member.

VII. The Thirteenth ward, and the third, fifth, and sixth, divisions of the Fourteenth ward, shall compose one district, and elect one member.

VIII. The Tenth ward; the eighth division of the Ninth ward, and the first, second, and fourth, divisions, of the Fourteenth ward, shall compose the Eighth district, and elect one member.

IX. The second, and third, divisions of the Sixth ward; the Eleventh ward, and the first, second, fifth, and sixth, divisions of the Twelfth ward, shall compose the Ninth district, and elect one member.

X. The Fifteenth ward, except the eighth division, shall compose the Tenth district, and elect one member.

XI. The first, second, third, fourth, fifth, sixth, and eighth, divisions of the sixteenth ward; the third, fourth, and seventh, divisions of the Twelfth ward, and the first, and second, divisions of the Twentieth ward, shall compose the Eleventh district, and elect one member.

XII. The Eighteenth ward; the first division of the Seventeenth ward; the third, and sixth, divisions of the Nineteenth ward, and the fourth division of the Twenty-fifth ward, shall compose the Twelfth district, and elect one member.

XIII. The Seventeenth ward, except the first division; the seventh division of the Sixteenth, and the second, and seventh, divisions, of the Nineteenth ward, shall compose the Thirteenth district, and elect one member.

XIV. The seventh, and eighth, divisions, of the Fourteenth ward; the fourth, fifth, sixth, seventh, eighth, ninth, and tenth divisions, of the Twentieth ward; and the eighth division, of the Fifteenth ward, shall compose the Fourteenth district, and elect one member.

XV. The first, third, fourth, fifth, ninth, and tenth divisions, of the Nineteenth ward; the third, and eleventh, divisions, of the Twentieth ward; the first division of the Twenty-first ward; and the fifth, and sixth, divisions, of the Twenty-fifth ward, shall compose the Fifteenth district, and elect one member.

XVI. The Twenty-second ward, and the third, fourth, fifth, sixth, and seventh, divisions, of the Twenty-first ward, shall compose the Sixteenth district, and elect one member.

XVII. The Twenty-third ward; the first, second, and third, divisions, of the Twenty-fifth ward, and the eighth division, of the Nineteenth ward, shall compose the Seventeenth district, and elect one member.

XVIII. The Twenty-fourth ward, and the second, and eighth, divisions, of the Twenty-first ward, shall compose the Eighteenth district, and elect one member.

The county of Delaware, shall be entitled to one member.

The county of Chester, to three members.

The county of Montgomery, to two members.

The county of Bucks, to two members.

The county of Lehigh, to two members.

The county of Northampton, to two members.

The counties of Carbon and Monroe, to one member, and the return judges shall meet at the court house, in the borough of Stroudsburg, in the county of Monroe.

The counties of Wayne and Pike, to one member, and the return judges shall meet at the court house, in the borough of Honesdale, in the county of Wayne.

The county of Luzerne, to three members.

The counties of Susquehanna and Wyoming, to two members, and the return judges shall meet at the court house, in the borough of Montrose, in the county of Susquehanna.

The counties of Bradford and Sullivan, to two members, and the return judges shall meet at the court house, in the borough of Towanda, in the county of Bradford.

The counties of Lycoming, Union and Snyder, to three members, and the return judges shall meet at the court house, in the borough of Lewisburg, in the county of Union.

The counties of Columbia and Montour, to one member, and the return judges shall meet at the court house, in the borough of Bloomsburg, in the county of Columbia.

The county of Northumberland, to one member.

The counties of Tioga and Potter, to two members, and the return judges shall meet at the borough of Wellsboro', in the county of Tioga.

The counties of Clinton, Cameron and M'Kean, to one member, and the return judges shall meet at the court house, in Shippen, in the county of Cameron.

The county of Centre, to one member.

The counties of Huntingdon, Mifflin and Juniata, to two members, and the return judges shall meet at the court house, in the borough of Lewistown, in the county of Mifflin.

The county of Schuylkill, to three members.

The county of Berks, to three members.

The county of Lancaster, to four members.

The county of Lebanon, to one member.

The county of Dauphin, to two members.

The county of York, to two members.

The county of Cumberland, to one member.

The counties of Perry and Franklin, two members, and the return judges shall meet at the court house, in Chambersburg, in the county of Franklin.

The county of Adams, to one member.

The counties of Somerset, Bedford and Fulton, to two members, and the return judges shall meet at the court house, in the borough of Bedford, in the county of Bedford.

The county of Blair, to one member.

The county of Cambria, to one member.

The counties of Clearfield, Elk and Forest, to one member, and the return judges shall meet at the court house, in the borough of Clearfield, in the county of Clearfield.

The counties of Clarion and Jefferson, to one member, and

the return judges shall meet at the court house, in the borough of Brookville, in the county of Jefferson.

The county of Armstrong, to one member.

The counties of Indiana and Westmoreland, to three members, and the return judges shall meet at the court house, in the borough of Greensburg, in the county of Westmoreland.

The county to Fayette, to one member.

The county of Greene, to one member.

The counties of Washington and Beaver, to three members, and the return judges shall meet at the court house, in the borough of Beaver, in the county of Beaver.

The county of Allegheny, to six members.

The counties of Mercer, Lawrence and Butler, shall elect four members, and the return judges shall meet at the court house, in the borough of New Castle, in the county of Lawrence.

The counties of Venango and Warren, to two members, and the return judges shall meet at the court house, in the borough of Franklin, in the county of Venango.

The county of Crawford, to two members.

The county of Erie, to two members.

SECTION 4. The senators and representatives shall be chosen, by the qualified citizens of the city of Philadelphia, and of the several counties of this commonwealth, at the time, places, and in the manner, prescribed by the constitution and laws of this commonwealth.

SECTION 5. The senators shall be chosen in the several districts, at the following times, to wit :

In the First district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-six.

In the Second district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-five.

In the Third district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-four.

In the Fourth district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-five.

In the Fifth district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-four, and one senator, at the general election, in the year of our Lord one thousand eight hundred and sixty-six.

In the Sixth district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty four.

In the Seventh district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-four.

In the Eighth district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-four.

Time, places,  
and manner, of  
election.

Times of elect-  
ing senators.

In the Ninth district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-four.

In the Tenth district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-six.

In the Eleventh district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-five.

In the Twelfth district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-five.

In the Thirteenth district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-five.

In the Fourteenth district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-four.

In the Fifteenth district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-six.

In the Sixteenth district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-six.

In the Seventeenth district, two senators shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-six.

In the Eighteenth district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-five.

In the Nineteenth district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-five.

In the Twentieth district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-six.

In the Twenty-first district, two senators shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-four.

In the Twenty-second district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-five.

In the Twenty-third district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-five.

In the Twenty-fourth district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-six.

In the Twenty-fifth district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-four, and one senator, at the general election, in the year of our Lord one thousand eight hundred and sixty-five.

In the Twenty-sixth district, one senator shall be chosen at



the general election, in the year of our Lord one thousand eight hundred and sixty-six.

In the Twenty-seventh district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-five.

In the Twenty-eighth district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-six.

In the Twenty-ninth district, one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and sixty-four.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 214.

## Supplement

To an act imposing additional taxes for State purposes, and to abolish the Revenue Board, approved April thirtieth, one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the second section, and other provisions of said act, as relates to foreign insurance companies, be and the same is hereby repealed ; and that said foreign insurance companies shall be subject only to the laws, heretofore imposing taxes upon them.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 215.

*An Act*

To provide for the erection of a Poor House in the borough of Montrose, and the township of Bridgewater, in Susquehanna county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners.	That Gilbert Warner, and M. L. Catlin, of Bridgewater township, William H. Boyd, and Elijah Mott, of the borough of Montrose, all of the county of Susquehanna, and their successors in office, as commissioners of the poor, for said borough, and township, are hereby created, and constituted, a body corporate, by the name, style, and title, of the asylum for the poor, for the borough of Montrose, and the township of Bridgewater, in the county of Susquehanna; and, by that name, shall have perpetual succession, with all the legal incidents of a body politic, and corporate, in law, and may sue, and be sued, and
Corporate name	use a common seal, and alter, and change, the same, at pleasure, make all by-laws, and regulations, that shall be necessary, and convenient, for managing the affairs thereof, not inconsistent with the constitution, or laws, of the United States, nor of this commonwealth.
Seal.	
By-laws.	

Powers, and duties of commissioners.	<b>SECTION 2.</b> That the said commissioners, above named, or their successors in office, duly elected, or appointed, and qualified, in accordance with the provisions hereinafter contained, or a majority of them, as soon, after the passage of this act, as practicable, to determine upon, and, with the assent of the court of quarter sessions, of Susquehanna county, purchase such real estate, within the bounds of said township, aforesaid, as may be proper, and necessary, for the support of the poor, of the borough, and township, aforesaid; and it shall be lawful, for said commissioners, to take, and receive, proper conveyance, in the name of the corporation, mentioned in the third section of this act, and, upon the receipt of said conveyance, to execute, in the name of the said corporation, and deliver to the vendee, or vendees, bonds, or mortgages, upon such real estate, to secure the payment of so much of the purchase money, as shall then remain unpaid; and, also, to erect, thereon, suitable buildings for the accommodation, and keeping, of the poor of said borough, and township; and they are also authorized, and empowered, to borrow such sum, or sums, of money, as may, in their opinion, be advisable, and necessary, not exceeding six thousand dollars, to be used in the payment of the expense of purchasing said real estate, and erecting said buildings, and to secure the payment of the same, by bonds, and mortgages, on said real estate.
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**SECTION 3.** That the said Gilbert Warner, M. L. Catlin, William H. Boyd, and Elijah Mott, be and are hereby constituted directors of the poor, in the borough and township afore-

said, until successors are appointed, and qualified, as herein-after provided; and they, and their successors in office, are hereby created a body politic, and corporate, in law, and as such, may receive, take, and hold, any lands, tenements, and hereditaments, not exceeding the yearly value of three thousand dollars, to erect, and keep, in proper condition, suitable buildings, for the reception, use, accommodation, and employment, of the poor of said borough, and township, and to provide all things necessary for the lodging, education, maintenance, and employment, of the poor, of said borough, and township.

Commissioners constituted directors of the poor until election. Privileges.

SECTION 4. That the said Gilbert Warner, M. L. Catlin, William H. Boyd, and Elijah Mott, shall continue in office as directors, until the second annual February election, after they shall have entered upon their duties, under this act; at which time, the qualified electors of the borough, and township, associated under this act, shall elect three persons to serve as directors of the poor, of said borough, and township; one to serve one year; one, for two years, and one, for the term of three years, and annually, thereafter, for the term of three years; and the judge, inspectors, and clerks, of each election district, where such director, or directors, are legally voted for, shall make out a complete return of all votes given for that office; and the judges of all such election districts shall meet at the poor house, on the first Monday after said election, and then add together the number of votes given for each person voted for, and make out the returns, complying, in all respects, with the provisions of existing election laws; and, after the performance of said duties, appoint one of their number, by consent, or lot, to deliver the full returns to the court of quarter sessions, of Susquehanna county, in the same manner now provided by law for making township returns; and, also, to notify the person, or persons, elected, by delivery of a written certificate of election, signed by said judges of election, to the person, or persons, elected; and said judges shall be paid one dollar per day each, for time so spent, out of the proper funds of the corporation created by this act: *Provided*, That any vacancy in said office, by resignation, or otherwise, shall be filled by the court of quarter sessions of Susquehanna county, until the next ensuing election of directors, when the said vacancy shall be filled by election, under the limitations aforesaid.

Election of directors.

Returns, how made, &c.

Certificate of election to be given.

Compensation of return judges

Court to fill vacancies.

SECTION 5. That the said directors shall, before entering upon the duties of their office, be duly sworn, or affirmed, to faithfully discharge the duties of their office; and the persons, herein appointed commissioners, shall, as soon as they think proper, after the passage of this act, appoint a treasurer, superintendent, collector of taxes for poor purposes, and such other assistants as they may deem necessary, who shall serve for one year, and until successors are appointed, and qualified, unless sooner removed by said directors; and on the first Monday, in the month of March, in each year, thereafter, the persons who shall, at such times, be directors, or a quorum of them, shall appoint a treasurer, a collector of poor taxes, a steward, or manager, of such poor house, a physician, and

Directors to take oath.

Appointment of certain officers.

Collector and treasurer to give bonds.	such other assistants as they may deem necessary, to serve for one year, and until their successors are appointed, and qualified, unless sooner removed by said directors; and any such collector, before entering upon the duties of his office, shall give bonds to said corporation, with sufficient security, to be approved by said directors, or a quorum of them, and in such sum as said directors shall require, conditioned for the faithful performance of his duties; and any such treasurer, before entering upon the duties of his office, shall give bond to said corporation, with sufficient security, to be approved by said directors, or a quorum of them, and in such sum as said directors may direct, conditioned for the faithful discharge of the duties, and at the expiration thereof, for the payment, and delivery over, to his successor in office, of all moneys, bonds, notes, book accounts, paper, books, and documents, to the said corporation belonging, which shall then be remaining in his hands; and any of said officers, or assistants, so, as aforesaid, appointed by said directors, may be removed by said directors, whenever they may see fit; and the vacancies occasioned by such removal, or by the death, or resignation, of any of such officers, or assistants, shall be filled by said directors; and said directors are hereby empowered to bind out, as apprentices, such poor children as may now be bound apprentices by the overseers of the poor: <i>Provided</i> , That such apprenticeship shall expire, in the case of males, at, or before, the age of twenty-one years, and in the case of females, at, or before, the age of eighteen years: <i>And provided further</i> , That no child shall be bound a greater distance than thirty miles from the poor house; and every child, bound as aforesaid, shall have not less than three months' schooling, in each, and every, year; and said directors shall exercise, and enjoy, all other powers now vested in the overseers of the poor, as are not herein granted, or supplied; and they are hereby empowered to use one common seal, in all business relating to said corporation, and at their pleasure may alter, and renew, the same.
Vacancies.	
Apprentices.	
Proviso.	
Proviso.	
Directors to exercise powers of overseers.	
Tax to be levied for poor purposes.	SECTION 6. That said directors, a majority of whom shall constitute a quorum, for the transaction of any business, shall have power, annually, and before the first day of April, in each year, to lay a rate, not exceeding ten mills on the dollar, at any one time, upon all real and personal estate, property, or things, in said borough, and township, now subject to taxation, for poor purposes, for defraying the expenses of purchasing said farm, and erecting said buildings, or preparing buildings for the accommodation of said poor, and stocking said farm, and furnishing said buildings, with all things necessary, until such expense shall have all been paid; said rate shall be the same rate, per centum, in said borough, and township, and shall be levied upon the basis of the then last adjusted valuation, made for regulating county rates, and levies; and, having caused a fair duplicate of such rate, by them laid, to be made, which shall be signed by them, or a quorum of them, shall issue their warrant, to the collector of such tax, therein authorizing, and requiring, him to demand, and receive, and collect, from every person, therein named, the sum wherewith such person stands charged, in the manner, and by the same
Assessment and collection of.	

process, as poor taxes are now, by law, collected: *Provided*, That the tax, hereby authorized to be laid, levied, and collected, shall not, in any one year, exceed, in amount, the one-sixth part of the sum expended, or indebtedness incurred, in purchasing said real estate, or farm, and erecting said buildings, or preparing buildings, for the accommodation of said poor, and stocking said farm, and furnishing said buildings with all things necessary, as aforesaid.

SECTION 7. That said directors shall, annually, and before the first day of April, in each year, make an estimate of the probable expense of supporting, and maintaining, the poor of said borough, and township, for the ensuing year, and also, an estimate of the probable cost of improving said farm, keeping said buildings in repair, and of insuring the property belonging to said corporation, for the ensuing year; and shall annually, and before the first day of April, in each year, lay a rate, sufficiently large, to raise the sum required for the support, and maintenance, of said poor, and for the improving of said farm, repair of said buildings, and insurance of said property, for such ensuing year, upon all real and personal estate, property, or things, in said borough, and township, now subject to taxation, for poor purposes; said rate shall be the same rate per centum, in said borough, and township, and shall be laid upon the basis of the then last adjusted valuation, made for regulating county rates, and levies, and, having caused a fair duplicate of such rate, by them laid, to be made, which shall be signed by them, or a quorum of them, shall issue their warrant to the collector of such tax, therein authorizing, and requiring, him to demand, and receive, and collect, from every person therein named, the sum wherewith such person stands charged, in the same manner, and by the same process, as poor taxes are now, by law, collectable.

SECTION 8. That said directors shall, or a quorum of them, as soon as they shall have provided suitable buildings, for the accommodation of said poor, file in the office of the clerk of the court of quarter sessions, of Susquehanna county, a certificate, setting forth, that such buildings are ready for the reception of said poor; said certificate shall also contain a statement of the real estate purchased, together with a description of the buildings thereon, and the price paid, or agreed to be paid, for said real estate, together with the terms, and times of payment, and the cost of erecting, and fitting up, said buildings; and said directors shall thereupon give notice to the overseers of the poor, of said borough, and township, of their readiness to receive, and accommodate, the poor thereof; and said overseers are required, immediately thereafter, to furnish said directors with the names of persons, who are a charge upon said borough, and township, respectively, or receiving relief therefrom, with the place of residence of each, and the said directors shall thereupon cause such poor person, or such of them as they shall think expedient, to be removed to the building, so as aforesaid provided, and thereafter to be kept, lodged, and maintained, therein, so long as such person shall continue a charge upon said borough, or township; and no person, who shall refuse to go to said poor house, or to be maintained

Limitation.

Directors to make, annually, estimates of expenses.

Rate of taxation, relative to.

Certificate to be filed in office of clerk of court, when buildings completed, &amp;c.

Notice to overseers.

Their duties.

Removal of poor.

therein, shall be entitled to relief, or support, from said directors, or from said borough, and township, during the time of such refusal: *Provided however*, That said directors may, as they think proper, furnish assistance, and relief, to any poor person, without requiring such person to be removed to, and kept in, said poor house.

**Proviso.** SECTION 9. That said directors are hereby authorized to provide work, and employment, for such poor persons as may be able to perform, or pursue, such work, or employment; and, if any poor person, unless unable, by reason of age, infancy, disease, or other disability, shall refuse to perform such reasonable labor, or service, as shall be allotted to, or required of, him, or her, by said directors, or by the steward, or manager, of such poor house, such person shall not be entitled to, or receive, any relief, or assistance, during the time such refusal shall be persisted in, and shall immediately, upon such refusal, be discharged from said poor house.

**Work to be performed by inmates.** SECTION 10. That the overseers of the poor, of said borough, and township, shall, as soon as notified by said directors, as provided in the eighth section of this act, cease to act as overseers of the poor in said borough, and township, except so far as may be required to settle, and close, their accounts, as overseers, or levy, and collect, such tax as may be necessary for the payment of outstanding debts against the township, and borough, respectively, for the support, and maintenance, of the poor.

**Office of overseer, when to cease.** SECTION 11. That said directors are hereby empowered to make, and ordain, such rules, and regulations, as they shall think proper, and necessary, for the direction, government, and support, of said poor house, and the revenues thereunto belonging, and of all such persons as shall come under their cognizance: *Provided*, That the same shall have first received the approbation of the court of quarter sessions of Susquehanna county, and shall not be repugnant to this act, or to any law of this state, or of the United States.

**Rules and regulations.** SECTION 12. That if any person, applying for relief, or residing in said poor house, shall refuse to make oath, or affirmation, touching his, or her, place of legal settlement, or touching his, or her, property and circumstances, or shall refuse to answer any question touching the same, that shall be asked of him, or her, by any of said directors, said directors may refuse to extend relief to, or may withhold further relief from, such person, until he, or she, shall consent to take such oath, or affirmation, and answer all such questions; and, if any such person, upon taking such oath, or affirmation, shall wilfully and knowingly answer any such question falsely, or shall make any false statement, concerning the subject matter of such oath, or affirmation, such person shall be subjected to the same pains, and penalties, as are, by the laws of this commonwealth, visited, and inflicted, upon persons guilty of perjury.

**Proviso.** SECTION 13. That the steward, or managers, of said poor house, shall have, under the direction of said directors, and subject to such regulations, as shall be made by them, the control, and management, of the poor persons, residing in said

**Applicants for relief to make oath.**

**Powers, and duties, of steward, or manager.**

poor house ; and shall superintend, and direct, the work, and employment, about which they may be engaged ; said steward shall not expend any money, or create any indebtedness, by the purchase of any article, or thing, on account of, or for the use of, the property, or persons, under his control, and management, unless the same be authorized, in writing, and signed by at least two of said directors ; and said steward is hereby required, yearly, on the second Monday in February, in each year, and whenever said directors may require, to furnish to said directors, a statement of the income of said real estate, as nearly as the same can be done ; also, the amount of expenditures made by him, under the order of said directors, setting forth the particular sources, and amounts, of such income, and the items, and dates, of such expenditures, and shall furnish his vouchers for the same ; he shall, also, in said statement, set forth the amount, and kind, and so far as he can, ascertain the value of the various kinds of personal property then on hand, the number, and names, of persons admitted to, and discharged from, said poor house, during the year, or from the time of his last statement, the length of time each person remained, the age, nativity, and sex, of each, and the place of the settlement of each person, at the time such person was received : *Provided*, That before such steward, or manager, shall enter upon the duties of his office, he shall give bond to said corporation, with sufficient security, to be approved by said directors, or a quorum of them, and in such sum as they shall direct, conditioned for the faithful performance of all the duties pertaining to his appointment, and office, of steward, or manager, of said poor house.

To give bond.

SECTION 14. That a quorum of said directors, are hereby enjoined, and required, to meet at said poor house, at least once in every month, and visit the grounds, buildings, and appointments, and see that the poor are comfortably supported, and hear all complaints, and redress, or cause to be redressed, all grievances that may happen by neglect, or misconduct, of any person in their employment, or otherwise.

Directors to meet monthly.

SECTION 15. That the treasurer of said corporation shall, annually, on the second Monday of March, in each year, and as often as said directors may require, render to said directors, a just, and correct, account of his receipts, and disbursements, during the preceding year, or from the time of his last statement, and shall present his vouchers for such disbursements ; and said directors shall annually, in the month of March, in each year, cause to be published, in two newspapers of Susquehanna county, for one week, a statement of the receipts, disbursements, and expenditures, of said corporation during the preceding year, together with a statement of the property, real, and personal, then held by said corporation.

Annual account of treasurer.

Statement of receipts, expenditures, &amp;c., to be published.

SECTION 16. That at the first term in each year, of the court of quarter sessions, of Susquehanna county, said court shall appoint three competent persons, who shall be citizens of said borough, or township, to audit, and settle, the accounts of said directors ; said auditors shall meet for that purpose, on the second Monday of March, in each year, and shall receive for their services, each one dollar per day, for every day neces-

Court to appoint auditors.

Their compensation.

Report to be filed.

sarily employed; the report of said auditors shall be filed by them, with the clerk of said court, before the session of said court, next after they shall have audited, and settled, said accounts; and said directors, treasurer, or any one, or more, of the tax-payers of said borough, and township, may, within twenty days from the filing of said report, appeal from such settlement to the court of common pleas of Susquehanna county, in the same manner, and under the same provisions, and regulations, that appeals from settlements by township auditors are now allowed.

Appeal from settlement may be taken.

Orders for relief, relative to.

SECTION 17. That all orders issued for the relief of any poor person, or persons, within said borough, and township, after the filing of the certificate mentioned in the eighth section of this act, shall be directed to the directors of the asylum for the poor of the borough of Montrose, and the township of Bridgewater, and upon the receipt of such orders, said directors, or any one of them, shall immediately proceed to inquire into the circumstances; and if the person, or persons, named in such order, or orders, shall be found to be entitled to relief, he, or they, shall furnish such relief, or cause such person, or persons, to be removed to said poor house, there to be kept, and maintained, until legally discharged; any of said directors shall have authority to direct a poor person to be admitted to said poor house, but no person shall be discharged therefrom, unless at his, or her, request, except by the direction of at least two of said directors.

Admission and discharge of inmates.

Compensation of directors and officers.

SECTION 18. That the compensation of the treasurer, collector of taxes, steward, physician, and other officers, or assistants, shall be fixed by said directors; and the compensation of said directors, for the preceding year, shall be fixed by the board of auditors, at each yearly settlement, each of said directors to furnish said auditors with a correct account of the time lost, and expenses incurred, by him, in attending to his duties; and each director, to such account, furnished as aforesaid, and presented by him to said auditors, shall append an affidavit, that such account is just and correct: *Provided*, That the compensation, to be allowed to said commissioners, or directors, for any one year, shall not altogether exceed the sum of one hundred dollars, which shall be apportioned among said directors, according to the time lost, and expenses incurred, by each.

Proviso.

Orders upon treasurer.

SECTION 19. That no money shall be paid by the treasurer, of said corporation, except upon orders drawn by the directors, and signed by at least two of them.

Contracts by overseers of any township, or borough, with directors, for support of the poor, authorized.

SECTION 20. That it is hereby declared lawful for the overseers of the poor, of any township, or borough, in Susquehanna county, if such overseers shall see fit to make agreements, or contracts, with said directors, if said overseers, and directors, can mutually agree for the keeping, maintaining, or employment of the poor, or any of them, of such townships, or boroughs, in said poor house, for such time, and upon such terms, conditions, restrictions, or stipulations, as said parties may mutually agree; and, after the making of any such contract, or agreement, by such overseers, with said directors, said overseers are hereby empowered to remove such poor to



said poor house; and if any such poor person shall refuse to go to said poor house, such overseers may refuse to render relief to such poor person, during the time such refusal shall be persisted in.

SECTION 21. That if any person, being a director, after having taken his oath of office, or if any person, being the treasurer, steward, tax collector, or other officer, or assistant, appointed by said directors, after having entered upon the duties of his office, shall be guilty of gross misconduct, in said office, or shall wilfully, and persistently, neglect, or refuse, to discharge, or perform, the duties of said office, or appointment, such person, so offending, shall be liable to prosecution, and indictment, in the court of quarter sessions of the peace of said county of Susquehanna, and, upon conviction, shall be sentenced, by said court, to pay a fine of not more than two hundred dollars, together with the costs, and undergo an imprisonment in the jail of said county, for a period of not more than three months, or both, or either, at the discretion of said court.

Penalty for misconduct, or neglect of duty, by directors, or officers.

SECTION 22. That it shall be lawful, at any time after the passage of this act, for the directors, aforesaid, on petition of a majority of the tax-payers, of any township, in Susquehanna county, to admit, if said directors deem it proper, such township, under the provisions of this act, on the same footing as to the expenditure, liability, and privilege, as the districts named in this act.

Other townships may be admitted under the provisions of this act.

SECTION 23. That it shall be lawful for any township, in Susquehanna county, after a decision, in the manner prescribed in the twenty-second section, to accept the provisions of this act, to levy, and collect, in the same manner that poor taxes are now, by law, levied, and collected, a sufficient amount to cover the proper share of such township of moneys, already expended in the payment for real estate, and improvements thereon, of said poor house, and pay the same over to the treasurer of said corporation; which payment shall entitle said township to the same privileges, and rights, as the original districts, named in this act, and thereafter, subject to the same liabilities: *Provided*, That said amount of money, to be paid over, shall be apportioned upon the basis of taxable property, for poor purposes, in said townships concerned, at the last annual assessment.

Tax to be levied in other townships accepting.

Payment of.]

Proviso.

SECTION 24. That so much of the laws of this commonwealth, relating to the poor, as are hereby altered, or supplied, or are inconsistent with this act, be and the same are hereby repealed.

Repeal.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 216.

**An Act**

To annex the farms of Nelson Pilgrim and John Lee, of Eaton township, to the township of Northmoreland, Wyoming county, for school purposes.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Certain farms  
annexed to  
Northmoreland  
township.

That the farms of Nelson Pilgrim and John Lee, of Eaton township, be annexed to, and form a part of, the school district of Northmoreland township, Wyoming county; and that the school directors of the district, to which said farms shall be attached, shall have the right to receive all moneys that would be due on said farms, and to receive the state appropriation for the school year one thousand eight hundred and sixty-four.

Exonerated  
from school  
taxes in Eaton  
township.

**SECTION 2.** That the school directors, of Eaton township, shall have power to exonerate, and are hereby required to exonerate, all the taxes, of every kind, that may be levied for school purposes, on the farms, or property, of the said Nelson Pilgrim and John Lee, and that their farms, and property, shall, hereafter, be liable to assessment, for school purposes, in the township of Northmoreland.

Election of  
school direc-  
tors, relative  
to.

**SECTION 3.** That all voters, which may, by this act, be annexed to the township of Northmoreland, for school purposes, shall have the right to vote for school directors, and shall be eligible to the office of school director, in said township of Northmoreland.

**HENRY C. JOHNSON,**

Speaker of the House of Representatives.

**JOHN P. PENNEY,**

Speaker of the Senate.

**APPROVED**—The fourth day of April, Anno Domini one thousand eight hundred and sixty-four.

**A. G. CURTIN.**

No. 217.

**An Act**

To incorporate the Petersburg and Reedsville Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John A. Wright, W. F. Biddle, William Cummings, David Mitchell, Robert M. Kinsloe, William H. Wommer, James Oakes, Henry Lee, John Withers, ——— Shindle, Thomas M. Smith, or any five of them, be and are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, by the name, style, and title, of the Petersburg and Reedsville Turnpike Company, with power to construct a turnpike from Petersburg, in the county of Huntingdon, to any point within three miles of Reedsville, in the county of Mifflin, subject to all the provisions, and restrictions, of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as they are hereby altered, and supplied.

Commissioners.

Style.

Route.

Subject to.

SECTION 2. That the capital stock of the said company shall consist of five hundred shares, of twenty-five dollars each share: *Provided*, That said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as, in their opinion, may be necessary to complete the said road, and carry out the true intent, and meaning, of this act.

Capital stock.

Proviso.

SECTION 3. That it shall be lawful for the said company to make use of any county bridge, on the line of the route of their road, and, also, use the whole, or any part, of any public road, and locate their road upon the ground occupied by any public road; and the court of quarter sessions, of the county through which the road of the said company passes, shall appoint viewers, to view, and vacate, such parts of any public road as shall be used, or rendered unnecessary, by the construction of the said company's road, as is provided by the general laws of this commonwealth, in the cases of roads which have become useless.

Authorized to use other roads, and county bridges.

SECTION 4. That the president, and managers, shall have power to regulate, and establish, rates of toll, not exceeding quadruple the rates established by the act hereinbefore mentioned, and the several supplements thereto; and to erect toll gates, and collect tolls, whenever one mile, thereof, shall have been completed.

Rates of toll.

SECTION 5. That the said company shall have power to borrow money, at any rate of interest, not exceeding eight per centum per annum, for the purpose of completing their road,

May borrow money.

and issue bonds therefor, and secure the same by mortgage of their road, and franchises.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 218.

## A Further Supplement

To the act to incorporate the Cochranville Hall Association of Chester county, approved April twelfth, one thousand eight hundred and fifty-one.

WHEREAS, Hebron lodge, number four hundred and thirty-seven, Independent Order of Odd Fellows, of Pennsylvania, have purchased all the capital stock of the Cochranville Hall Association, and holds the same, in the name of said lodge, by authority given it by a supplement to the act to incorporate the said Cochranville Hall Association, approved March thirty-first, Anno Domini one thousand eight hundred and fifty-nine; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That said Hebron lodge, number four hundred and thirty-seven, Independent Order of Odd Fellows, of Pennsylvania, shall, at its last stated meeting, of the month of September, in each and every year, elect the trustees, and officers, required by the act to which this is a supplement; and that so much of the act, requiring the election to take place at the last stated meeting, in the month of December, in each year, be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 219.

## Supplement

To an act to extend the act relating to sheriff's and prothonotary's costs, in Luzerne county, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine, to the county of Cumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the provisions of the act, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine, entitled "An Act relating to sheriff's and prothonotary's costs in Luzerne county," be and the same are hereby extended to the county of Cumberland.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN

No. 220.

## An Act

For the payment of the account of Chauncey G. Gridley, for collecting arms.

WHEREAS, Chauncey G. Gridley, during the years one thousand eight hundred and fifty-eight, and one thousand eight hundred and fifty-nine, under direct authority from adjutant general E. C. Wilson, collected, from the first brigade, thirteenth division, Pennsylvania militia, the old arms belonging to the state, and forwarded them to the arsenal at Harrisburg :

*And whereas*, Mr. Gridley has never been paid for his services, there being no military fund in said brigade, at the time, from which, said account could be paid :

*And whereas*, Said account is approved by the late adjutant general, and the justice of the same certified by the present adjutant general ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby directed to pay to Chauncey G. Gridley, for collecting arms, as aforesaid, the sum of thirty-five dollars, out of any moneys in the treasury not otherwise appropriated.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 221.

## An Act

To authorize the President and Managers of the Springhouse and Penllyn Turnpike Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Springhouse and Penllyn Turnpike Road Company be and they are hereby authorized, and empowered, to borrow, upon the credit of said company, for the purpose of finishing, and completing, said road, erecting toll house, et cetera, any sum of money, not exceeding fifteen hundred dollars, payable with interest, not exceeding six per cent. per annum.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 222.

**An Act**

Declaring goats running at large in Wiconisco township, Dauphin county,  
a common nuisance.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*  
That goats, running at large in Wiconisco township, in the county of Dauphin, are hereby declared a common nuisance; and it shall be the duty of any magistrate, of said township, before whom proceedings are instituted, upon due proof thereof, to impose a fine of five dollars, and costs of suit, in each case, upon the owner thereof; which said fine, and costs, shall be levied, and made, by the constable of said township, out of any personal property, or effects, found in the possession, or claimed by defendant; all fines, thus collected, shall be promptly paid into the school fund of said township.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The fourth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 223.

**A Supplement**

To an act to empower the town council of the borough of Bellefonte, in Centre county, to borrow money, approved the fourteenth day of February, Anno Domini one thousand eight hundred and sixty-three.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*  
That the town council, of the borough of Bellefonte, are hereby authorized, and empowered, to borrow, on the credit of said borough, for the purposes stated in said act, to which this is a supplement, the further sum of five thousand dollars, at

the same rate of interest, and upon the same conditions, provided for in said act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 224.

## An Act

Authorizing the managers of Christ Church Hospital to sell certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the rector, church wardens, and vestrymen, of Christ church, in the city of Philadelphia, be and they are hereby authorized, by, and with, the consent of the rector, church wardens, and vestrymen, of St. Peter's church, in the city of Philadelphia, testified, and given, under their corporate seal, from time to time, to sell, and convey, in fee simple, upon payment of a sum, or sums, of money, any part, or parts, or the whole, of certain lots of ground, with the buildings thereon erected, situate in the city of Philadelphia; the first lot containing twenty feet on Arch street, and extending northwardly, of that width, to Cherry street; the second lot, adjoining the first, on the east, and containing twenty feet on Cherry street, and extending, southwardly, of that width, one hundred and four feet six inches, more or less, to the northerly line of a lot, late of Joseph Parrish; the third lot, adjoining the second, on the east, and containing, in front, on Cherry street, twenty feet, and extending, southwardly, of that width, eighty-two feet, more or less, to the fourth lot; the fourth lot, containing, in length, north, and south, twenty-one feet, more, or less, and in breadth, east, and west, thirty-six feet, extending to an eight feet alley, running northwardly to Cherry street, with the appurtenances, privileges, and rights, thereunto belonging; and to convey to the purchaser, or purchasers, as good, and valid, an estate, in the premises, as the said, the rector, church wardens, and vestrymen, of Christ church, in the city of Philadelphia, are seized of, and entitled unto, both at law, and in equity, freed, and discharged, from all the trusts created under the will of Doctor John Kearsley, and the codicils thereto, and



under a certain deed, dated July twenty-eighth, Anno Domini one thousand eight hundred and ten, recorded in the office of the recorder of deeds, for the city, and county, of Philadelphia, in deed book J C, number eight, page six hundred and three, from George Bringham, and Ebenezer Hazard, administrators of Matthew Clarkson, to the rector, church wardens, and vestrymen, of the United Episcopal churches, of Christ church, and Saint Peter's, their successors, and assigns; and under a certain other deed, from John Stoddard, and Rebecca, his wife, dated August thirteenth, Anno Domini one thousand eight hundred and ten, recorded in deed book J C, number fourteen, page two hundred and eighty-one; and under a certain other deed, from Paul Beck, junior, and wife, dated November fifth, Anno Domini, one thousand eight hundred and ten, recorded in deed book J C, number eleven, page five hundred and fifty-one, and under a certain other deed, between Joseph Parrish, and wife, and the rector, church wardens, and vestrymen, of Christ church aforesaid, dated April twenty-first, Anno Domini one thousand eight hundred and thirty-eight, recorded in deed book S H F, number twenty-two, page three hundred and ninety-three; and no purchaser of any part, or parts, or the whole, of said lots, and buildings, et cetera, shall be bound to see to the application of the said purchase money: *Provided*, That the proceeds of sale of said lots, buildings, et cetera, shall be held by the rector, church wardens, and vestrymen, of Christ church, in the city of Philadelphia, and their successors, in the trust, upon the same trust, and for the same use, to which they now hold the other properties, and estate of Christ Church Hospital.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 225.

## A Supplement

Extending to Allegheny county, the act authorizing the appointment of an inspector of sole, rough-harness, and rough-skirting, leather, in the city and county of Philadelphia, approved the fourth day of April, eighteen hundred and forty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

## LAWS OF PENNSYLVANIA,

That the act, to which this is a supplement, be and the same is hereby extended to the county of Allegheny; and that the right of the governor to appoint an inspector, the form of oath, the stamping of the leather, and all other things, wherein the use of the term Philadelphia is enjoined, the use of the term Allegheny shall be substituted therefor.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 226.

## An Act

To incorporate the Twelfth Street Market Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That H. Jones Brooke, and Robert Plumstead, of Delaware county, William Roberts, and Samuel W. Evans, of Chester county, John Gross, George T. Thorn, Henry Simons, Jacob Keichline, and Joseph Paxson, of the city of Philadelphia, and their associates, and all persons, who may become stockholders, are hereby constituted a body politic, or corporate, by the style of the Twelfth Street Market Company, with a capital stock not exceeding three hundred thousand dollars, divided into shares of fifty dollars each; and the said market company shall be subject to all the restrictions, and have all the powers, privileges, and immunities, contained in an act to incorporate the Farmers' Market Company, approved the nineteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 227.

## An Act

To incorporate the Fifteenth Ward Union Hall Association.

WHEREAS, A suitable room is much needed in the Fifteenth ward, for public meetings and lectures ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Hiram Miller, Josiah L. Haines, William Bement, Isaac C. Pearson, William H. Kemble, Samuel S. Pancoast, George Sturgis, Henry Davis, Robert M. Evans, Henry Gray, Thomas Potter, Charles A. Miller, William H. Kern, Joseph B. Conrow, Jabez C. Duhadway, William Matthews, John W. Stokes, Cornelius A. Walborn, Augustus B. Davis, Joseph R. Bolton, Samuel Daniels, John W. Clark, Henry J. Volkmar, James Devine, Elihu Demott, Marshall Scott, James Wood, Joseph Wood, Spencer Jannly, Theodore Bliss, William Mann, J. B. M'Ginley, Thomas Birch, John J. Kersey, Barton Hoopes, and George Burnham, and such other persons as may hereafter become associated with them, are hereby erected into, and declared to be, a body politic, and corporate, by the name, style, and title, of the Fifteenth Ward Union Hall Association; and by the same style, and title, shall have perpetual succession, and may take, and hold, by gift, grant, demise, bargain, and sale, devise, and bequest, or by any other lawful mode of conveyance, any lands, tenements, goods, chattels, and estate, real, and personal, or mixed, and may erect, and build, in the Fifteenth ward, of the city of Philadelphia, a suitable building, for the use of this society ; and the same, or any part thereof, from time to time, may lease, sell, alien, mortgage, or otherwise dispose of, and shall be capable, in law, of suing, or being sued, and may have a common seal, which they may alter at pleasure : *Provided*, The clear, yearly, value, or income, of all the estate, and property, of said corporation, including interest on all moneys, by them lent, shall not exceed the sum of ten thousand dollars.

Corporators.

Title.

Privileges.

Seal.

Income.

SECTION 2. That said corporation may have a capital stock of fifty thousand dollars, or less, divided into shares of one hundred dollars each, which may be issued, and be transferable, in such manner as the by-laws, of said corporation, may direct.

Capital stock.

SECTION 3. That the officers of said corporation shall be a president, and ten managers, who shall appoint, from their own number, a secretary and treasurer, the said president and managers to be elected, by the members of this society, at a meeting, to be held for that purpose, which meeting may be called at any time after the date of this act, by any five, or more, of the corporators, giving five days' notice, by advertisement in two daily newspapers, published in Philadelphia ;

Officers, election of.

the officers, thus elected, shall hold their positions until others are elected, in accordance with this act, and qualified in such manner as may be prescribed by the laws of the corporation.

**Annual meeting of members, and stockholders.** SECTION 4. The members, and stockholders, shall meet on the first Monday in January, one thousand eight hundred and sixty-five, (and annually thereafter,) and elect, from the members of the association, a president and ten managers, to serve for the ensuing year; at which meeting, the retiring managers shall present a written statement of the affairs of the corporation, and, if required by the society, it shall be verified by the affidavit of the acting president, and secretary, and no dividends shall be declared, except from the clear profits, after all current liabilities are paid: *Provided*, The stock shall be exempt from taxation, unless it shall pay a dividend of more than six per cent. per annum.

**Statement to be made by managers.**

**Dividends.**

**Proviso.**

**By-laws.** SECTION 5. That the duties and rights of the members of the said corporation, the powers and functions of the officers, thereof, the mode of supplying vacancies in office, the times of meeting of the members, (except the first meeting in January, which shall be held on the first Monday in January, annually,) or its managers, the number which shall constitute a quorum, in the board of managers, and also, what number shall constitute a quorum, at meetings of the association, the mode of electing, or admitting, new members, the terms of their admission, the causes which justify expulsion, and the manner of effecting the same, and the manner, in case of dissolution of said corporation, or winding up of its affairs, shall be regulated by the by-laws, and ordinances, of said corporation, which they are hereby empowered to make, and alter, in the manner therein mentioned: *Provided*, That the said by-laws, and ordinances, shall not be repugnant to, or inconsistent with, the constitution and laws of the United States, or of this commonwealth: *And provided further*, That the enrolment tax, on this charter, shall be the same that is imposed on mutual insurance charters, by act of sixteenth of April, one thousand eight hundred and forty-five.

**Proviso.**

**Enrolment tax.**

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 532, entitled "An Act to incorporate the Fifteenth Ward Union Hall Association," was presented to the governor on the twenty-third day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 6, 1864.

No. 228.

## An Act

To increase the daily pay of the County Commissioners, and Directors of the Poor, of Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from, and after, the passage of this act, each of the county commissioners, of Schuylkill county, shall receive, out of the county treasury, the sum of two dollars and fifty cents per day, for each day he shall necessarily attend to the duties of his office; and that the pay of the directors of the poor, of said county, shall be two dollars per day, for each day necessarily spent in the performance of the duties of their office.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 309, entitled "An Act to increase the daily pay of the county commissioners, and directors of the poor, of Schuylkill county," was presented to the governor on the twenty-second day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 6, 1864.

No. 229.

**An Act**

Explanatory of an act for the relief of the sureties of John H. Rothrock, approved October sixteenth, one thousand eight hundred and sixty-three.

WHEREAS, The legislature of Pennsylvania passed an act for the relief of the sureties of John H. Rothrock, on the sixteenth day of October, one thousand eight hundred and sixty-three:

*And whereas*, In the preamble to said act, it is recited that John H. Rothrock stands indebted to the commonwealth of Pennsylvania, in the sum of two thousand and twenty-one dollars and ten cents, with interest:

*And whereas*, It is enacted by the said act, that the sureties, of said John H. Rothrock, shall be released, by paying each one-fifth of the balance of the principal debt, due the commonwealth, without interest:

*And whereas*, The actual balance of the principal debt, due the commonwealth, without interest, is one thousand two hundred and forty-one dollars:

*And whereas*, In the construction of said act, doubts have arisen whether the sureties are to pay, each one-fifth the amount recited in the preamble, namely: two thousand and twenty-one dollars and ten cents, or one-fifth of the actual balance, of principal debt, due the commonwealth, without interest, namely: one thousand two hundred and forty-one dollars; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the true intention, and meaning, of said act, is, that each one of the said sureties, or the representatives of each one, shall pay to the state treasurer one-fifth of whatever sum was the balance of the principal debt, due the commonwealth, by the said John H. Rothrock, without interest, within sixty days from the passage of this act, and by so doing, the claim of the commonwealth, against the said John H. Rothrock, shall be considered as fully paid, and satisfied, and his sureties relieved from all further liability.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 307, entitled "An Act explanatory of an act for the relief of the sureties of John H. Rothrock, approved October sixteenth, one thousand eight hundred and sixty-three," was presented to the governor on the twenty-second day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, April 6, 1864.

No. 230.

## An Act

To incorporate the Pennsylvania Gold Mining Company of Colorado.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William P. Hacker, Lewis C. Cassidy, John M. Riley, Alfred W. Adolph, Evan Morris, and P. S. Peterson, and their associates, be and they are hereby created a body politic, by the name, and title, of the Pennsylvania Gold Mining Company of Colorado, and by such name, and title, shall have perpetual succession, and shall be capable of suing, and being sued, impleading, and being impleaded, and of granting, and of receiving, in its corporate name, all kinds of property, real, personal, and mixed; and of holding, and improving, lands in Colorado territory, and elsewhere, and to obtain therefrom, any, and all, minerals, ores, and other valuable substances, whether by working, or mining, or leasing, or disposing of, privileges to work, or mine, such land, or any part thereof; and to erect houses, and such other buildings, and works, as may, in the opinion of the managers of the corporation, appertain to said business, and to use, let, lease, or work, the same, and to dispose of the products of all such lands, mines, and works, as they may deem proper.

SECTION 2. That the said company shall have power to make such by-laws as they may deem proper, to enable them to carry out the objects of the corporation, and the same to alter, amend, add to, or repeal, at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of this commonwealth, or the provisions of this act; and to adopt a common seal, and the same to alter at pleasure; and to issue

Corporators.

Name.

Powers and  
privileges.

By-laws autho-  
rized.

Proviso.

Seal.

May issue certificates of stock. certificates of stock, representing the value of their property, in such form, and subject to such regulations, as they may, from time to time, by their by-laws, prescribe, and to regulate, and prescribe, in what manner, and form, their contracts, and obligations, shall be executed.

Election of directors. SECTION 3. That the corporators, of this act, shall elect persons to serve as directors of this company, a majority of whom shall constitute a quorum, for the transaction of business, and shall hold their offices until their successors shall have been elected, in accordance with the by-laws.

Offices to be established. SECTION 4. That it shall be lawful for said company to establish the necessary offices for the business of the company, wherever their business is located; and to have their principal office in the United States, in such places as they may deem expedient, at which place, it shall be lawful to hold all meetings for the transaction of the business of the company.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 231.

## An Act

To correct an error in the act, entitled "An Act to incorporate the Highland Manufacturing Company," presented to the governor the sixteenth day of March, one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Highland Manufacturing Company shall pay, into the treasury, a bonus of one-half of one per centum upon the capital stock, thereby authorized, in four equal annual instalments; and that the words, "in lieu of tax, on dividends," in seventh section, and second line, be stricken out.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-four.



No. 232.

*An Act*

To incorporate the Tuscarora and Licking Creek Navigation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Beale, James Reynolds, George M. Graham, Alfred I. Patterson, Noah Hertzler, and G. W. Strouse, of the county of Juniata, and such other persons as shall associate with them, for the purpose hereinafter named, be and they are hereby created into a body politic, and corporate, by the name, style, and title, of the Tuscarora and Licking Creek Navigation Company, with a capital of two thousand dollars, to be divided into shares of twenty-five dollars each, and to be subscribed in equal shares; the said corporation shall be capable, in law, to sue, and be sued, plead, and be impleaded, shall have a common seal, and shall have power to enforce such by-laws, rules, and regulations, as may be necessary, and expedient: *Provided*, That the same do not conflict with any law of this commonwealth, or of the United States.

Corporators.

Title.

Capital.

Seal.

By-laws.

Proviso.

SECTION 2. That the said corporation shall use, of their capital stock, in improving the navigation of said Tuscarora and Licking creeks, in the county of Juniata, from their mouths to the county line, about twenty-five miles up, by removing from the channel rocks, roots, trees, and other obstructions, by straightening, and deepening, said streams, from time to time, as occasion may require, and by such other necessary means as will fit them for the safe, and rapid, passage of logs and lumber.

How capital stock to be used.

SECTION 3. That the said company shall have the right to demand, and receive, from any, and every, person using that portion of said streams, improved by said company, for the purpose of running, or floating, logs, or lumber, on their waters, the sum of thirty cents per thousand feet, board measure, for all logs put in the said streams, and one dollar per hundred for railroad ties, one dollar per thousand for locust trunnels, one dollar per thousand for staves, and heading, whether floated, rafted, or boated; and the same company may, at their option, demand, in advance, the payment of said toll, or security, for the same, and in all cases, in which they do so, the persons, from whom such demand is made, shall be considered, and treated, as trespassers, if they use, or attempt to use, said streams, without first paying, or securing, to the satisfaction of the said company, the toll so demanded; and the said company may require, from all persons, using said streams, a statement of the amount of lumber put in said streams, to be floated, rafted, or boated; and the said persons are required to furnish such statement, within ten days after its demand, and upon failure so to do, or for a wilfully false statement, so furnished, the said company shall be entitled to recover treble the

Authorized to receive tolls.

Rates and payment of.

May require statements from persons using streams.

Penalty for false statements, &amp;c.

amount of tolls, authorized by this act, for the actual amount of lumber so floated, rafted, or boated ; and the said company shall have power to sue for, and recover, all tolls authorized by this act, and all penalties, hereby imposed, as debts, and penalties of like amount, are now by law recoverable.

Election of officers.

Tolls, when and to whom payable.

SECTION 4. That the annual meeting of said company, for the purpose of electing officers, shall be on the first Monday of May, in each year ; that all tolls, for the use of the navigation of said streams, shall be payable, if no demand is made for the same in advance, to the treasurer of the company, at his office, in the town of Perryville, in the county of Juniata, within ten days after the logs, or lumber, as herein described, shall have been started in said streams ; and on failure to make such payment, the party in default shall forfeit, and pay, double the usual rates of toll.

Erection of booms authorized. Proviso.

SECTION 5. That the said company shall have the privilege to erect, and construct, a boom, or booms, in said streams, for the safe delivery of lumber : *Provided*, The same do not interfere with the running of rafts out of said streams.

Damages to bridges, &c., to be repaired.

SECTION 6. That if any bridge, mill-dam, or flood-gate, or road crossing, shall, in any manner, be injured, or receive damage, by reason of the improvement of said streams, the said company shall forthwith repair the same ; and any person, or persons, wilfully obstructing, in any manner, said streams, after the same shall have been cleared, or improved, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined, and imprisoned, at the discretion of the court.

Penalty for obstructing streams.

To file bond in court of quarter sessions.

SECTION 7. That the said company shall, at the next court of quarter sessions of the peace, of Juniata county, file a bond, to be approved by said court, sufficient in amount to indemnify the property owners, along said streams, from all damages they may sustain, by reason of said improvement.

By-laws.

SECTION 8. The said company shall have power to pass by-laws.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 233.

## An Act

To incorporate the Pennsylvania Quartz Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Waldron J. Cheyney, Edward Potts, Thomas W. Cheyney, Curtis Cheyney, John M'Arthur, junior, James T. Allen, and E. F. Dietrichs, and such other persons as shall be associated with them, and their successors, be and the same are hereby erected into a body corporate, and politic, by the name, style, and title, of the Pennsylvania Quartz Company; the said company being formed, and created, for the purpose of mining, and quarrying, fluxing, and dissolving in water, quartz, and quartz-ose rock, and re-combining the same, for various useful, and ornamental, purposes, and for the manufacture of other articles necessary to the same; the chief operations of said company to be in the city of Philadelphia.

SECTION 2. That the capital stock of the said company shall be one thousand shares, at one hundred dollars each, with power to increase the same to five thousand shares; and the said company is hereby declared, and made capable, in law, to sue, and be sued, implead, and be impleaded, to have a common seal, to hold, and convey, such real, and personal, property, as may be necessary to promote the objects of their incorporation, and to make all needful rules, regulations, and by-laws, for the well ordering of the business, and affairs, of the corporation, including the transfer of stock, and the payment of dividends.

SECTION 3. That the affairs of the said company shall be managed, and conducted, by a board of seven directors, (one of whom shall be president,) who shall be chosen by the stockholders; the first election shall take place, within one month after the act shall take effect; of which election, due public notice shall be given, in one newspaper, published in the city of Philadelphia; and subsequent elections shall be held at such time, and place, annually, as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every stockholder shall be entitled to one vote, by person, or by proxy, for each share of capital stock held by him: *Provided*, That in case of failure to hold an election, under this act, the former directors shall continue in office until their successors be duly elected; and in case of the death, or resignation, of any director, the remaining directors shall elect a person to serve until the next annual election.

SECTION 4. That this act shall continue in force for the period of twenty years, from the time of its passage.

SECTION 5. That all the stockholders, of the said company, shall be jointly, and severally, liable, in their individual capacity.

cities, for wages due workmen, and laborers, employed by the said company.

Bonus.

SECTION 6. That the said company shall pay, to the commonwealth, a bonus of one-half of one per centum, on the capital stock of said company, and upon any increase thereof, payable in four, equal, annual, instalments, the first payment to be made, within one year after the passage of this act; they shall, also, pay all such taxes, on capital stock, which are, or shall hereafter be, fixed by the laws of this commonwealth.

Taxes.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 234.

## An Act

To incorporate the Sinnemahoning Land Company.

Corporators.

Name.

Privileges.

Authorized to hold real estate in certain counties, &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That W. Gerhard, Ambrose Clark, P. Jarrett, A. C. Noyes, Joseph Pancoast, S. A. Black, and H. P. Rutter, their associates, successors, and assigns, be and they are hereby created a body politic, and corporate, under the name, style, and title, of the Sinnemahoning Land Company, with power to alter the same at pleasure; by which name, they shall have perpetual succession, and enjoy all the privileges pertaining to a corporation, under the laws of this commonwealth.

SECTION 2. That the said company may hold, possess, and enjoy, to them, and their successors, any real estate in the counties of Clinton, Cameron, and M'Kean, not exceeding the quantity authorized to be held by corporations, organized under the act to enable joint tenants, tenants in common, and joint owners, of mineral lands, to manage, and develop, the same, approved the twenty-first of April, one thousand eight hundred and fifty-four; and may improve the same, and erect any buildings thereon; and, from time to time, may sell, grant, demise, alien, or dispose of, the same, and any part thereof, in fee simple, or for any less estate; and the said company shall have the same rights, respecting the said land, and the division of the same into shares, as are granted to the joint own-

ers of mineral lands, by the third section of the said act of the twenty-first of April, one thousand eight hundred and fifty-four: *Provided*, That the capital stock, of the said company, shall be limited to six hundred thousand dollars: *And provided further*, That the said company shall pay, into the state treasury of the commonwealth, a tax of one-half of one per cent. upon the capital stock. Capital stock.

SECTION 3. That the affairs of the said company shall be managed by a board of five directors, to be elected, from time to time, by the stockholders, to serve for one year, and until their successors are chosen; in all elections, each share of stock shall entitle the holder thereof, to one vote, either in person, or by proxy; but no person shall be eligible, as a director, who is not the owner of at least ten shares of stock; the directors shall elect one of their number president of the board; shall appoint such other officers, and agents, as the business of the company may require; and make by-laws, subject to the approval of the stockholders, fixing the time, place, and manner of conducting the annual elections, and the general business of the corporation, and regulating the issue of stock, the transfer, and cancellation, thereof, and the division of profits: *Provided*, That the first board of directors shall be appointed by the corporators herein named, and shall remain in office until their successors are duly elected. Election of directors.  
Votes.  
Who eligible as directors.  
Officers.  
By-laws.  
First board of directors.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 235.

## An Act

Relating to the Cambria Iron Company.

WHEREAS, By the acts of assembly, approved the sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine, and the twelfth day of April, Anno Domini one thousand eight hundred and sixty-one, the Cambria Iron Company was authorized to issue sixty-five thousand shares of preferred stock, payable in money, or in the second mortgage bonds of said company, and the accrued interest thereon: Preamble.

*And whereas*, None of said preferred stock has been issued by said company; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Repeal of provision authorizing the issue of preferred stock.

That so much of the acts of assembly, approved the sixteenth day of March, Anno Domini one thousand eight hundred and fifty-nine, and the twelfth day of April, Anno Domini one thousand eight hundred and sixty-one, as authorized the Cambria Iron Company to issue sixty-five thousand shares of preferred stock, be and the same are hereby repealed.

Capital stock may be increased.

**SECTION 2.** That the directors of the Cambria Iron Company are hereby authorized, and empowered, to create, and issue, in addition to the present capital stock of said company, any amount, not exceeding fifty-two thousand shares of common stock, of the par value of twelve dollars and fifty cents per share; which said stock shall be disposed of in such way, and manner, and for such price, as the directors, of said Cambria Iron Company, may deem expedient.

HENRY C JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 236.

## An Act

To incorporate the Philadelphia and Colorado Gold Mining Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That H. R. Lindeman, William H. Barnes, Morton M'Michael, junior, and their associates, be and they are hereby created a body politic, by the name, style, and title, of the Philadelphia and Colorado Gold Mining Company; and by such name, and title, shall have perpetual succession, and shall be capable of suing, and being sued, impleading, and being impleaded, and of granting, and of receiving, in its corporate name, property, real, personal, and mixed, and of holding, and improving, lands in Colorado territory, and to obtain, therefrom, any, and all, minerals, and other valuable substances, whether by working, or mining, or leasing, or disposing, of privileges to work, or mine, such land, or any part thereof; and to erect houses, and such other buildings, and works, as may, in the opinion of

Title.

Powers and privileges.

the managers of the corporation, appertain to said business; and to use, let, lease, or work the same, and to dispose of the products of all such lands, mines, and works, as they may deem proper.

SECTION 2. That the said company shall have power to make By-laws. such by-laws as they may deem proper, to enable them to carry out the objects of the corporation, and the same to alter, amend, add to, or repeal, at their pleasure: *Provided*, That Proviso. such by-laws shall not be contrary to the constitution of this commonwealth, or the provisions of this act; and to adopt a common seal, and the same to alter at pleasure; and to issue Seal. certificates of stock, representing the value of their property, Certificates of in such form, and subject to such regulations, as they may, stock. from time to time, by their by-laws, prescribe, and to regulate, and prescribe, in what manner, and form, their contracts, and obligations, shall be executed.

SECTION 3. That the corporators, named in this act, shall Directors. elect persons to serve as directors of the company, a majority of whom shall constitute a quorum, for the transaction of business; and shall hold their offices until their successors shall have been elected, in accordance with the by-laws.

SECTION 4 That it shall be lawful for said company to es- Offices. tablish the necessary offices for the business of the company, wherever their business is located, and to have their principal. in the United States, in such place as they may deem expedient; at which place, it shall be lawful to hold all meetings for the transaction of the business of the company.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 237.

## An Act

To incorporate the Philadelphia Silver and Copper Mining Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas Tilden, Adolph Hugel, John Potter, William Rotch, Angier Alphonso, F. Tilden, and Robert Smith, and their associates, successors, and assigns, be and they are here-

Name.	by created a body politic, and corporate, in the law, by the name, and title, of the Philadelphia Silver and Copper Mining Company; and, by the said name, shall have perpetual suc-
Privileges.	cession, and all the privileges, and franchises, incident to a corporation; may make, and establish, a common seal, and alter the same at pleasure; and shall be capable of taking, holding,
Authorized to hold lands.	working, and disposing of, in fee simple, or for any less estate, such lands, and mines, as they may lawfully acquire, in any state, or territory, of the United States: <i>Provided</i> ,
Proviso.	That the said company shall not own, in fee simple, more than five hundred acres of land in Pennsylvania.
Business, relative to.	SECTION 2. That the said company may carry on the business of mining, smelting, and refining, copper, silver, and other ores, except iron, and may import such ores from any other state, or country, and deal in the same, and may erect, and own, all suitable buildings, machinery, property, and devices, of every description, necessary for the said business.
Capital stock.	SECTION 3. That the capital stock of said company shall be divided into as many shares, of fifty dollars each, as shall equal, in the aggregate, the value of the property held, for the use of the said company, at the time of its organization, or thereafter acquired, not exceeding one million of dollars; and every share of stock shall entitle the owner thereof to one
Votes.	vote, at all elections held by the stockholders, and authorized by law: <i>Provided</i> , That this corporation shall pay, into the treasury of the commonwealth, a bonus of one-half of one per centum, on the capital stock hereby authorized, or here-
Bonus.	after created, in four equal, annual, instalments, and such taxes, on dividends, as is, or may, be provided by law; and the stock-
Tax on dividends.	holders, of said company, shall be individually liable for all debts due mechanics, workmen, and laborers, employed by
Individual liability.	said company, and for all materials, and provisions, furnished to said company, to be sued for, and collected, as is provided in the twelfth, thirteenth, and fourteenth, sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.
By-laws.	SECTION 4. That the said company shall have power to make by-laws, regulating the issue of stock, and the transfer thereof, under the limitation mentioned in the third section of this act; and, also, all such by-laws as may be necessary, from time to time, for the proper, and orderly, administration of the affairs of the company.
Board of managers.	SECTION 5. That the affairs, and business, of the said company, shall be managed, and conducted, by a board of seven managers, to be elected annually, on the first Monday in May, and the managers, so elected, shall continue in office until their successors are chosen.

HENRY C. JOHNSON,  
 Speaker of the House of Representatives.  
 JOHN P. PENNEY,  
 Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 238.

*An Act*

To incorporate the Union Passenger Railway Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Robert P. King, William Elliott, Charles Welsh, William H. Kemble, Willott H. Ridgway, William J. Pollock, John Miller, John M. Melloy, and their associates, and successors,

Corporators.

be and they are hereby constituted a body politic, and corporate, by the name, style, and title, of the Union Passenger Railway Company of Philadelphia; and as such, they shall

Title.

have the right to lay out, and construct, or cause to be laid out, and constructed, a railway, in the city of Philadelphia, along such routes, and streets, as are hereinafter provided for, namely: be-

Construction of railway authorized.

ginning at, or near, the intersection of Wharton and Front streets; thence, with a single track, and such turn-outs as may be neces-

Route.

sary, along Wharton street to Ninth street; thence along Ninth street to Spring Garden street; thence along Spring Garden street to Seventh street; thence along Seventh street to Master street; thence along Master street to Frankford road; thence along Frankford road to Belgrade street; thence along Belgrade street to Marlborough street; thence along Marlborough street to Thompson street; thence along Thompson street to York street; thence along York street to Edgmont street; thence along Edgmont street to Lehigh avenue; thence along Lehigh avenue to Memphis street; thence along Memphis street to York street; thence along York street to Emerald street; thence along Emerald street to Susquehanna avenue; thence along Susquehanna avenue to Fourth street; thence along Fourth street to Oxford street, with the privilege of using Cadwalader street, until Fourth street shall be opened to Oxford street; thence along Oxford street to Franklin street; thence along Franklin street to Race street; thence along Race street to Seventh street; thence along Seventh street to Walnut street; thence along Walnut street, and around Washington square, along the westwardly, and southwardly, side thereof, to Seventh street; thence along Seventh street to Federal street; thence along Federal street to Front street; thence along Front street to the place of beginning; and the said company shall have the right to use York street from Thompson street to Memphis street, for the purpose of making a circuit; and, also, the right to use Seventh street from Master street to Oxford street, for the purpose of making a circuit; and, also, the right of making a circuit on Locust street, from Washington square to Ninth street; and the said company shall have power, and authority, to extend their road, by single track, from Seventh street along Spring Garden street to Twenty-third street; thence along Twenty-third street to Parrish street; thence

along Parrish street to Twenty-fourth street; thence along Twenty-fourth street to Poplar street; thence along Poplar street to Twenty-ninth street; thence along Twenty-ninth street, and Pennsylvania avenue, to Brown street; thence along Brown street to Twenty-third street; thence along Twenty-third street to Wallace street; thence along Wallace street to Seventh street, with the right to use Brown street, west of Twenty-third street, to Pennsylvania avenue, with a double track, or such sidelings as may be necessary, and, also, with the right, and privilege, to use Poplar street, with a single track, from Seventh street to Twenty-fourth street; and the said company shall have the right, in order to complete their route, and to make such circuits as they may deem necessary, to use, in lieu of Wharton and Federal streets, any other two streets south of Catharine street; and the said company shall first lay out, and construct, that part of their road extending from Wharton street to Oxford street, and afterwards, from time to time, as they may deem advantageous to the public, shall lay out, and complete, their road, on the routes, and streets, herein designated.

Road from  
Wharton to Ox-  
ford street to be  
first construct-  
ed.

Capital stock.

SECTION 2. The capital stock of said company shall consist of twenty thousand shares, of fifty dollars each.

May borrow  
money, and  
issue bonds  
therefor, se-  
cured by mort-  
gage.

SECTION 3. The said company shall have power, and authority, to borrow money, in any sum, or sums, not exceeding, in amount, one-half of the par value of the capital stock, at a rate of interest, not exceeding seven per centum, per annum; and to secure the re-payment of the same, and the interest thereon, to give bonds, secured by a mortgage of, and on, the said railway, and the corporate rights, and franchises, guaranteed by this act; which principal moneys shall be payable, at such dates, and times, as the board of directors may deem advisable.

Authorized to  
purchase real  
estate, equip-  
ments, &c.

SECTION 4. The said company shall have the right to purchase such real estate, and erect, or cause to be erected, such buildings, and improvements, thereon, from time to time, and use, and hold, the same; and further, to have the right to purchase all necessary equipments, such as horses, cars, and other vehicles, and all needful appendages, for the conveyance of passengers, on, and over, said railway, as may be deemed necessary, or convenient, for the accommodation, and purposes, of said company: *Provided*, That said railway shall conform, in gauge, to the passenger railways now laid in the city of Philadelphia; and no freight, or burthen trains, or locomotives, shall be permitted to pass over said railway.

Gauge.  
Prohibition.

Dividends, rela-  
tive to.

SECTION 5. That dividends, of so much of the profits of said company, as shall appear to be advisable to the directors, shall be declared, semi-annually, in each, and every, year, and be paid at the office of the said company, at any time after ten days, after declaring the same; but said dividends shall, in no case, exceed the amount of the net profits of said company, so that the capital stock, thereof, shall at no time be impaired thereby; and if said directors shall make, and declare, any dividend, impairing the capital stock of said company, the directors, consenting thereto, shall be liable, in their individual capacities, to said company, for the amount so divided; and

Limitation.

each director present, when such dividend shall be declared, shall be considered as consenting thereto, unless he, or they, shall, at the time thereof, enter his, or their, written protest against the same, and shall cause the said protest to be entered upon the minutes of the board, and give public notice of the same.

SECTION 6. The said company shall make, have, and use, a common seal, and alter, and renew, the same at pleasure; and, also, shall have the power to ordain, establish, and put in execution, such by-laws, ordinances, and regulations, as shall appear necessary, or convenient, for the government of the said corporation, and not being contrary to the constitution of the United States, or of this commonwealth; and generally to do all, and singular, the matters, and things, which, to them, shall lawfully appertain, for the well-being of said corporation, and the proper order, and management, thereof.

SECTION 7. That the persons herein named, or a majority of them, may proceed to organize said company, and obtain subscriptions to the capital stock thereof; and said company shall have power to elect a president, vice president, and five directors, a majority of whom shall be citizens of Philadelphia, and, also, such other officers as may be deemed expedient; and at all elections, each share of stock, represented, either in person, or by proxy, shall entitle the holder to one vote.

SECTION 8. The said company shall be subject to all the provisions, and restrictions, of an act regulating railroad companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as the same are not altered, or supplied, by this act: *Provided*, That the provision in the first section of said act, which requires the commissioners, named in any special act, incorporating any passenger railroad company, to give public notice of the time, and place, for opening books for receiving subscriptions to the capital stock of such company, is hereby declared not to extend, or apply, to this act, or to the commissioners herein named; and the said company, in constructing their road, shall conform to the surveys, and grades, now established, or hereafter to be established, by law, of the several streets, or avenues, traversed by said road; and shall, at the cost, and expense, of said company, lay flagstones, or crossings, along the line of the paved streets, upon which the rails are laid, at intervals, not exceeding two hundred and fifty feet, and shall be at the entire cost, and expense, of paving, repairing, and re-paving, that may be necessary, upon any street where the track of said company may be laid; and it shall not be lawful for the said company to run their cars, at a greater rate of speed than six miles an hour; and the said company is hereby authorized, and empowered, to construct, and lay, the said railway, without obtaining the consent of the city councils, of the city of Philadelphia; but whenever the said railway shall be laid, and used, by running passenger cars thereon, the said company shall be subject to the ordinances of the city of Philadelphia, regulating the running of passenger railway cars.

Seal.

By-laws.

Organization.

Election of officers.

Votes.

Subject to.

Notice of time and place, of receiving subscriptions, not required.

Must conform to established surveys, grades, &amp;c.

Crossings, paving, &amp;c., relative to.

Rate of speed.

Consent of councils not necessary.

Subject to city ordinances.

**May cross at grade, and connect with, other roads.** SECTION 9. The said company shall have the right to cross, at grade, any railroad that is now, or may hereafter be, built, within the limits of the city of Philadelphia; and, also, to connect their railway with that of any other passenger railway company, for the purpose of completing a route, or making a circuit, and upon such terms, and conditions, as may be agreed upon by such other company, or companies, and the said Union Passenger Railway Company of Philadelphia, and in case said railway companies cannot agree thereupon, such terms as the district court of Philadelphia may prescribe and enjoin.

**Terms and conditions, relative to.**

**Tax on dividends to be paid into city treasury.**

SECTION 10. That the said company shall pay, annually, into the treasury of the city of Philadelphia, for the use of said city, whenever the dividends, declared by said company, shall exceed six per cent. per annum, on the par value of the capital stock thereof, a tax of six per centum, on such excess over six per centum, on the par value thus declared; and the said company shall, also, pay such license for each car run by said company, as is now paid by other passenger railway companies, in the city of Philadelphia.

**License for cars.**

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 239.

## An Act

Relative to the New York and Middle Coal Field Railroad and Coal Company.

**Time for holding annual election changed.**

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

That the time for the holding the annual election, for a board of directors for the New York and Middle Coal Field Railroad and Coal Company, shall hereafter be, on the second Tuesday of January, of each year, instead of, on the first Monday of February, as heretofore provided by law.

**Time for completion of road extended.**

SECTION 2. That the time for the completion of the railroad, of this company, shall be extended until the first day of January, Anno Domini one thousand eight hundred and sixty-seven; and that said company shall have the right to make branches, not exceeding ten miles in length, and to connect

with any other railroad, or the branches of any other railroad, in the course, or at the termini, of the main road, which said company is authorized to construct, and, if necessary, to cross said roads, at grade.

Authorized to make branches, and connect with other roads, &c

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 240.

## An Act

To incorporate the Anthracite Coal and Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

That W. C. Curry, G. W. Whallon, William Sanborn, J. H. Whallon, W. W. Reed, and their associates, successors, and assigns, be and they are hereby constituted a body politic, and corporate, by the name, style, and title, of the Anthracite Coal and Iron Company, and, as such, shall have power to take, and hold, land and real estate, not exceeding one thousand acres, in fee simple, in the counties of Elk, Erie, and Northumberland, and shall have a right to drive tunnels, sink shafts, erect all necessary machinery for mining, and transporting, coal, and manufacturing iron, and make such necessary rail, or other, roads, not exceeding five miles in length, as may be required to connect the lands of the said company, with any such roads as may be now constructed, and used, or hereafter constructed, and used, for transporting coal to market, subject, however, to all the restrictions of the general railroad laws of the commonwealth; also, to construct, and build, docks, extending twenty-five hundred feet, or less, and to include the unappropriated water end of East lane, at or near the harbor of Erie Mill Creek.

Corporators.

Title.

Powers and privileges.

Subject to.

Authorized to construct docks, &c.

SECTION 2. That the capital stock of the said company shall consist of one thousand shares, of one hundred dollars each, with the privilege of increasing the same to three thousand shares; the said company is hereby declared, and made capable, in law, to sue, and be sued, implead, and be impleaded, to have a common seal, to hold, and convey, or lease, such real, Capital stock. Seal.

or personal property, as may be necessary to promote the objects of their incorporation.

**Directors, election of.** SECTION 3. That the affairs of the said company shall be managed, and conducted, by a board of directors, to consist of not less than five, nor more than nine, members, who shall be elected by the stockholders, on the first Monday in April, of each year, who shall elect one of their number as president, and they shall also elect a secretary and treasurer; but if, for any cause, the election of directors, as aforesaid, does not take place, it shall be competent to elect the same at any other time, after two weeks' public notice shall have been given, without injury to this act of incorporation; and in all elections, each share of stock shall entitle the holder to one vote; the directors shall make such by-laws, rules, and regulations, for the government of themselves, and officers, in the conducting of the business of the company, as may seem to them necessary and proper, which shall not be inconsistent with this charter, the constitution and laws of this commonwealth, or of the United States; said company are hereby authorized to borrow any sum of money, not exceeding one hundred thousand dollars, and to issue bonds therefor, with, or without, coupons attached, and to secure the payment of the same by a mortgage, on all their real and personal property: *Provided*, That no bond shall be for a less sum than one hundred dollars.

**May borrow money, and issue bonds.** **Proviso.** **Office.** SECTION 4. The company shall locate its office in the city of Erie.

**Bonus.** SECTION 5. That this corporation shall pay, into the treasury of the commonwealth, a bonus of one-half of one per centum, on the capital stock hereby authorized, or hereafter created, in four equal, annual, instalments, and such taxes, on dividends, as is, or may be, provided by law; and the stockholders, of said company, shall be individually liable for all debts due mechanics, workmen, and laborers, employed by said company, and for all materials, and provisions, furnished to said company, to be sued for, and collected, as is provided in the twelfth, thirteenth, and fourteenth, sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

**Taxes on dividends.** **Individual liability.** **Payments on subscriptions to stock, relative to.** SECTION 6. That twenty per cent. shall be due, and paid, on each share, at the time of subscribing; and the directors shall cause to be published two weekly insertions, in a newspaper of the county, immediately preceding the time at which payment will be demanded of the balance; and, if any stockholder shall neglect, or refuse, to pay such proportion, or instalment, or any part thereof, at the time, or times, appointed, he, she, or they, shall be liable to pay, in addition to the amount so called for, and unpaid, at the rate of one per cent. per month, for the delay of such payment; and if the same, and the additional penalty, shall remain unpaid for the period of two months, he, or she, or they, shall, at the discretion of the directors, forfeit, to the use of the company, all right, title, and interest, in, and to, every, and all, share, or shares, on account of which, default in payment may have been made; or

**Penalty for non-payment.** **Collection of arrearages, &c.** the directors may, at their option, cause suit to be brought for

the amount due, together with the penalty, as aforesaid; in the event of a forfeiture, as aforesaid, the share, or shares, so forfeited, may be disposed of at the discretion of the directors, in such manner as may be prescribed by the by-laws; no stockholder shall be entitled to vote, at any election, or at any general meeting, of the stockholders, on whose share, or shares, any instalment, or arrearages, may be due, and unpaid, for the period of thirty days.

Forfeitures,  
relative to.

SECTION 7. That the stock of the said company shall be deemed personal estate, and shall be transferable, in a suitable book, to be kept for that purpose by the company, either in person, or by attorney, duly authorized to do so, in the presence of the president, or treasurer; but no share, or shares, shall be transferable, until all arrearages, or penalties, thereon, shall have been fully paid in, or the said share, or shares, shall have been declared forfeited, as hereinbefore provided.

Stock transferable.

Exception.

SECTION 8. That it shall be the duty of the directors to keep, or cause to be kept, a book, containing the name, and place of residence, of each stockholder, showing the number of shares held by each, alphabetically arranged; also showing the amount paid on each share of stock; which book shall be opened to the inspection of the stockholders, during the regular business hours of each day.

Book containing names of stockholders, &c., to be kept.

SECTION 9. That this act shall continue in force, for the period of twenty years from its passage.

Limitation.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 241.

## A Supplement

To an act relating to the payment of bounties to volunteers, approved March twenty-fifth, one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That it is hereby declared to be the true intent, and meaning, of the act, to which this is a supplement, that the school directors of each, and every, ward, and borough, in the com-

monwealth, are as fully empowered to assess, and collect, taxes to pay bounties to volunteers, and to issue bonds, in payment of the same, as the school directors of the townships are authorized to do, by said act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 242.

## A Supplement

To a further supplement to an act to incorporate the city of Philadelphia, passed February second, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess, and council, of the borough of Chester, in the county of Delaware, shall appoint one assistant warden, of the port of Philadelphia, to serve as a port warden, for the term of four years, from the first day of June next, with the same power, and authority, as those appointed by the councils of Philadelphia, under, and by virtue, of the act to which this is a supplement.

Burgess and council of Chester to appoint an assistant port warden.

Surveyor of Delaware county to prepare a plan of river front, &c.

Wharf-line for Delaware county to be defined by wardens.

SECTION 2. That it shall be the duty of the surveyor, of the county of Delaware, to prepare, within twelve months from the passage of this act, a plan of the Delaware river front, of said county, showing the present line of low water, with the depths of water for seven hundred feet, out from said line of low water, at distances of fifty feet from said line, and at distances not more than five hundred feet apart; and, upon the receipt of said plan, by the wardens for the port of Philadelphia, they shall define a wharf-line for Delaware county, beyond which, it shall not be lawful for them to authorize the construction of any wharf, or pier; and if any person shall trespass on the tide-way of the river, beyond the line of low water, as defined by the survey now authorized, without a license from the port wardens, he, or they, so offending, shall be liable to the penalties, as provided in existing acts for like offences.

Plan to be filed.

SECTION 3. That the map, or plan, directed to be prepared by the second section of this act, shall be placed on file, in the



office of the wardens, for the port of Philadelphia; and the Expense of necessary expense, incurred in preparing said map, or plan, shall be paid by the commissioners of Delaware county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 243.

## An Act

To repeal a portion of the twenty-first section of an act, entitled "A supplement to the act consolidating the city of Philadelphia."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the twenty-first section of the act, entitled "A supplement to an act consolidating the city of Philadelphia," approved the twenty-first day of April, in the year of our Lord one thousand eight hundred and fifty-five, as provides that the ordinance, therein mentioned, shall not go into effect without the signature of the mayor of the city of Philadelphia, be and the same is hereby repealed; and it shall be competent for the select, and common, councils, of the said city, by a two-thirds' vote, of each council, in the usual way, to pass any bill, whatever its nature, which may have been returned by the mayor, without his signature.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 244.

## A Supplement

To the act approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act to incorporate the Lancaster Home Mutual Fire Insurance Company."

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Authorized to  
form a certain  
fund, by assess-  
ment.

Proviso.

Object of.

How funds to  
be invested.

Repeal.

That it shall be lawful for the Lancaster Home Mutual Fire Insurance Company to form a fund, not to exceed five thousand dollars, by assessment upon its members, at such times as may be deemed expedient by the board of directors of said company: *Provided however,* That no assessment, except so far as it is actually required at the time, to pay existing liabilities, shall be made to exceed one-half of one per centum on the adjusted amounts, including all assessments made within one year previous to the time of making such assessment.

**SECTION 2.** That the fund, hereby authorized to be formed, shall be held by said company, to meet such liabilities, expenses, and losses by fire, as said company may incur, thus avoiding the necessity, and expense, of making frequent small assessments to meet trifling losses; and the directors of said company are hereby authorized to invest the funds of said company, in the securities of the United States, or of this state, or to loan the same on real estate, as they may deem best for the interests of the said company.

**SECTION 3.** So much of the act, to which this is a supplement, as is inconsistent herewith, is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 245.

*An Act*

To incorporate the Oakland Cemetery Association of Indiana county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That James Bailey, Peter Sutton, George W. Sedgwick, William B. Marshall, William M'Coy, and such other persons as they associate with them, in the manner hereinafter provided, and their successors, be and they are hereby made, and declared, a corporation, or body politic, and corporate, in law, and in fact, to have continuance, and maintain perpetual succession, by the name, style, and title, of the Oakland Cemetery Association, and by that name, to purchase, and hold, a certain piece of ground, situate between the Saltsburg and Warren roads, a short distance south of the borough of Indiana, containing about fifteen acres, and the same to set apart, enclose, lay out, ornament, divide, sub-divide, and arrange, in suitable plots, burial lots, avenues, foot-ways, carriage-ways, sites for buildings, et cetera, and to plant, and embellish, with trees, shrubbery, and other ornaments, and to erect thereon all such buildings as may be deemed requisite; and to do all other things, proper, and needful, to adapt the said premises to cemetery purposes, and render the same convenient, and attractive; and to sell, and dispose of, the said burial lots, for the purpose of sepulture, to individuals, societies, and congregations, without distinction, or regard, to persons, or sect, under, and subject, however, to such conditions, rules, and regulations, as the said corporation may, from time to time, legally ordain and establish.

Corporators.

Name.  
Purchase of  
ground, &c.,  
authorized.Sale of lots,  
relative to.

SECTION 2. That the said corporation, by the name, style, and title, aforesaid, shall be able, and capable, in law, to sue, and be sued, plead, and be impleaded, answer, and be answered, in all courts of record, either of law, or equity, in all manner of complaints, suits, actions, causes, pleas, and demands, whatsoever, and to do every matter, and thing, therein, in as full, and effectual, manner as any other person, or corporation, within this commonwealth, may, or can, do; and to have, and use, a common seal, and the same to change at pleasure; and to receive, in trust, and use, for the benefit of the corporation, all such gifts, bequests, devises, and donations, of property, as may be made; and to purchase, and hold, as much personal property as may be deemed necessary, to accomplish, and consummate, the object, design, and purpose, of this act, and to sell, and dispose of, the same; and generally to enjoy all the rights, privileges, and immunities, incident to a corporation, and within the intent, sense, and meaning, of this act.

Privileges.

Seal.

Bequests, de-  
vises, &c.

Election of additional corporators-

SECTION 3. That the said corporators may, at any annual, stated, or special, meeting, called in accordance with their by-laws, elect, by ballot, from among those who are owners, by purchase, or otherwise, of lots in the cemetery, additional corporators, either to fill vacancies, or increase their number; and they shall have full power to enact, adopt, amend, and enforce, all such by-laws, rules, and regulations, relative to the organization, and management, of the corporation, the time and manner of electing officers, their number, and title, their power, and duties, and the appointment, compensation, and duties, of suitable workmen, and employees, their removal, and discharge, the improvement, protection, and preservation, of the grounds and premises, the granting the rights of sepulture, and interment, of the dead, and the government of lot-holders, and visitors to the cemetery, as may be thought expedient, and necessary, for the proper government of the incorporation, its officers and affairs, and generally to do all such other matters, and things, as shall lawfully appertain to them: *Provided*, The said by-laws, rules, regulations, and acts, be not repugnant to the constitution, and laws, of the United States, of this state, or to this act.

By-laws.

Proviso.

Conveyance of lots may be by deed, or certificate.

SECTION 4. That the original conveyance, from the corporation to purchasers, of lots, may be evidenced, either by deed, or certificate, under the corporate seal, and signed, and executed, as the by-laws direct; and such deed, or certificate, specifying that such a person is the owner of such a lot, or lots, shall vest in the grantee, or grantees, his, her, or their, heirs, and assigns, a right, in fee simple, for the purpose of sepulture, to such lot, or lots, thus conveyed, free, and exempt, from taxation, execution, attachment, or any other claim, lien, or process, while held, and used, for the said purpose of interment, transferable, with the consent of the corporation, in such manner, and upon such terms, and conditions, as the by-laws may prescribe; and such deed, or certificate, for any lot, or lots, in said cemetery, or any transfer thereof, duly executed, and approved, as aforesaid, when registered in the books of said company, shall, in all respects, have the same effect, and force, and be used for the same purposes, as if executed, acknowledged, and recorded, as conveyances of real estate are required to be, by the laws of this commonwealth.

Exempt from taxation, and execution.

Transferable.

Penalties for clandestine removal of bodies, damages to tombs, fences, shrubbery, &c.

SECTION 5. That if any person, or persons, shall, wilfully, and maliciously, open any tomb, vault, or grave, in the cemetery, and clandestinely remove, or attempt to remove, therefrom, any body, or remains, such person, or persons, upon conviction thereof, shall be sentenced to undergo an imprisonment for a term of not less than six months, nor more than three years, and pay a fine of not less than one hundred dollars, at the discretion of the court of quarter sessions of Indiana county; and any person, or persons, who shall wilfully injure, or remove, any tomb, monument, grave-stone, or other structure, that may be placed in the aforesaid cemetery, or any device that may be inscribed thereon, or any fence, gate, railing or other work, for the protection, or ornament, thereof, or any building erected thereon, for the use, or convenience, of the same, or shall wilfully, and maliciously, cut, destroy, break, injure, or

remove, any tree, shrub, plant, or flower, within the limits of said cemetery, or shall carry, shoot, or discharge, any gun, or other fire-arms, within the grounds thereof, except at military funerals, and by order of an officer in command, or hunt game, or ride, or drive over, any foot-way, side-walk, or other portion of said grounds, shall be deemed guilty of malicious mischief, and upon conviction thereof, in the court of quarter sessions of Indiana county, shall be punished by a fine of not less than five, nor more than one hundred, dollars, and by imprisonment in the county jail, for a term of not less than ten, nor more than sixty, days, according to the nature, and aggravation, of the offence, or shall, upon a summary conviction thereof, before any justice of the peace, in, and for, said county of Indiana, be fined, at the discretion of the justice, according to the aggravation of the offence, in a sum of not less than ten, nor more than one hundred, dollars, one-half, thereof, to go to the cemetery company, and the other half to the informer; and such offender shall, also, be liable, in an action of trespass, either in the name of the corporation, or party injured, to pay all such damages as may have been occasioned by his unlawful acts, to be applied to the reparation, and restoration, of the property injured, or destroyed; and the members of said corporation, or lot-owners, shall not, thereby, be prevented from testifying in any case at law, either civil, or criminal, as aforesaid.

SECTION 6. That ten per cent., or such larger proportion as the company may determine, of all the incomes accruing to the said corporation, from the sale of lots, or other current sources, shall be set apart, and appropriated, as a permanent fund, for the perpetual support of the said cemetery, and shall be invested in government bonds of the United States, mortgages, or judgments, on real estate, or in such other good, and safe, interest paying securities, as the said company may prefer.

SECTION 7. That no public highway shall ever be opened through the grounds of said cemetery, without the consent of the corporation, unless authorized by an act of the legislature; that no nuisance be erected, or maintained, within two hundred yards of the outside enclosure thereof; that the funeral ceremonies be unrestricted; and that the said corporation enjoy all the rights, and privileges, extended to similar associations, and burial grounds, by the several laws of this commonwealth, relating thereto, and be subject to the judicial restraint, and correction, of the court of common pleas of Indiana county.

Permanent fund to be set apart, and invested.

Opening public roads, and nuisances, prohibited.

Funeral ceremonies.

Subject to.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 246.

**An Act**

To incorporate the Chapman Slate Company.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

**Corporators.** That William Chapman, Richard Chapman, George W. Walton, Augustus Wolle, and Charles Brodhead, and such other persons as may associate with them, their successors, and assigns, be and they are hereby created, and made, a corporation, and body politic, by the name, style, and title, of the Chapman Slate Company, and by that name, and title, shall have succession, and shall be capable, in law, to sue, and be sued, in any court of law, or equity, and have, and use, a common seal, with the right to hold land, by lease, or fee simple, in Northampton county, and quarry, raise, manufacture, transport, and sell slate therefrom; and the said lands, and slate quarries, to sell, or lease, mortgage, or encumber, as to the said corporation may seem meet and proper: *Provided*, Said company shall not hold, in fee, over two thousand acres.

**Title.**

**Privileges.**

**Proviso.**

**Capital stock.** *SECTION 2.* That the capital stock of said company shall be three hundred thousand dollars, divided into shares of fifty dollars each; and the said corporation may declare that sixty thousand dollars thereof, shall be a preferred stock, and may be issued as such, under, and subject to, such terms, and conditions, as the said corporation, and the purchasers of said preferred stock, may agree upon; and any agreement made between them, not inconsistent with the laws of this state, or of the United States, shall be of as full force, and effect, as if specifically set forth, authorized, and enacted, by this act of incorporation.

**May issue preferred stock.**

**Management.** *SECTION 3.* That the property, and affairs, of this company, shall be managed, and conducted, by five directors, being stockholders; the president shall be appointed by the directors, from their own number, and the directors shall have power to appoint such other officers, and agents, as may be deemed necessary to carry on the business of said corporation, and require such security from them, as, to the said directors, may seem proper; and to fill all vacancies that may occur in their own body, and make all needful by-laws, not inconsistent with the laws of this state, or of the United States.

**Officers.**

**Vacancies.**

**By-laws.**

**Election of directors.** *SECTION 4.* That the annual election of directors shall take place on the second Tuesday of January, in each year, commencing on the second Tuesday of January, one thousand eight hundred and sixty-five, at some place, to be designated by the by-laws; and all elections shall be by ballot, and each share shall be entitled to one vote; such notice, of election, shall be given as the by-laws may require; and if, from any cause, an election shall not be held at the appointed time, it

**Votes.**

shall not work a forfeiture of this charter, but a new election shall be ordered, in conformity to the by-laws of such corporation, and the then acting directors shall continue in office until their successors are elected. Failure to hold election, relative to.

SECTION 5. That William Chapman, Richard Chapman, George W. Walton, Augustus Wolle, and Charles Brodhead, shall be the first directors, to organize, and manage, the affairs of said company, and shall continue in office until the second Tuesday of January, one thousand eight hundred and sixty-five, and until their successors are duly elected. First directors.

SECTION 6. That the stock may be transferred, agreeably to the by-laws, which may be adopted by the corporation; and that dividends may be declared, and paid, whenever the directors may deem it advisable, (except that dividends of at least six per centum per annum, if the earnings of the company are sufficient to do so, shall be made upon the preferred stock;) but said dividends shall, in no case, exceed the amount of actual profits of said corporation; and the said company shall pay, into the treasury of the state, a bonus of one-half of one per centum, upon the amount of the capital stock, payable in four annual instalments, the first, whereof, shall be paid, within one year after the said company shall have organized. Stock transferable.  
Dividends.  
Bonus to state.

SECTION 7. That the stockholders of said company shall be jointly, and severally, liable, in their individual capacities, for debts due mechanics, workmen, and laborers, employed by said company, and for materials furnished said company, to be sued for, and collected, as is provided in the thirteenth, fourteenth, and fifteenth, sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three; but the preferred stockholders shall, in no wise, be liable therefor. Individual liability.  
Exception.

SECTION 8. That the legislature hereby reserves the right to amend, alter, or repeal, this charter, at any time; in such manner, however, as shall not do injustice to the corporators. Reservation.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 247.

## An Act

To incorporate the Sisters of Charity, of St. Josephs.

Corporators.	<p><i>SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i></p> <p>That Hilary Brawner, Gonzaga Grace, Mary John Yelley, Philomena Myers, Seienna Jamison, Remi Lee, Elizabeth Dwyre, and their successors, appointed, in accordance with the rules, and regulations, of the Sisters of Charity of St. Josephs, whose mother house is at present in Emmittsburg, in the county of Frederick, in the state of Maryland, be and are hereby constituted, and established, a body corporate, and politic, with perpetual succession, by the name, and style, of the Sisters of Charity of St. Josephs; and by that name, shall be competent to contract, and be contracted with, in all matters relative to the object of their association; shall have a common seal, the device of which they may form, and change, at their pleasure; shall be capable of suing, and being sued, of pleading and being impleaded, of answering, and being answered unto, in all the courts in this state, or the United States, with full power, and authority, to acquire, possess, hold, use, and enjoy, by gift, grant, devise, purchase, or otherwise, real estate, and personal property, and shall have power to sell, convey, mortgage, and dispose of, the same, in any manner the said corporators, or their successors, appointed as aforesaid, shall deem best, for the interest of the corporation, and the furtherance of the charitable, and educational, purposes, for which this corporation is created.</p>
Name. Powers and privileges.	
By-laws and regulations.	<p><i>SECTION 2.</i> The said corporators, and their successors, shall have full power, and authority, to make, ordain, establish, and put into execution, such by-laws, rules, and regulations, as they may deem proper, for the conduct, and government, of the hospitals, schools, asylums, and other establishments, under their care, and control, and the efficient government, of their own board, and the officers appointed thereby; such by-laws not being contrary to the laws and constitutions of this state, or the United States.</p>
Objects.	<p><i>SECTION 3.</i> The object of said corporation is to afford a greater opportunity, and more security, to the corporators, and their successors, for the establishment of hospitals, schools, asylums, and other institutions, for the relief, education, and care, of the poor, the needy, the distressed, the orphan, and the ignorant, and to this end no property, of any kind whatsoever, shall be held, or acquired, or conveyed, otherwise than for the furtherance of the object, for which this corporation is instituted: <i>Provided,</i> That the amount of annual income, from</p>
Income.	



property which said institution may hold, shall not exceed ten thousand dollars.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No 248.

## An Act

To incorporate the Mercantile Association of the city of Reading, in the county of Berks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That David A. Stout, John B. Williams, John W. Acey, John Ramage, Eli W. Jones, J. Frances Bellemere, Levi P. Knerr, James F. Van Horn, John Till, Abraham Fiantdt, Thomas Polglase, Charles Berrett, George M. Eisenhauer, Calvin Goodman, Israel R. Laucks, and their associates, and such persons as shall become stockholders, be and the same are hereby made, and constituted, a body corporate, and politic, by the name of the Mercantile Association of Reading, and by said name, they, and their successors, shall have perpetual succession, and shall be, in law, capable of suing, and being sued, pleading, and being impleaded, in all courts, and judicatories, whatever, and, also, of contracting, and being contracted with, relative to the business, and objects, of the said corporation, as hereinafter declared; and they, and their successors, may have a common seal, and may change, alter, the same at pleasure; and shall have power to purchase, rent, or lease, such real estate, as may be necessary for the purpose of carrying on the business of the association, and in their corporate name, to make, and execute, deeds of conveyance, and other instruments of writing, necessary in the transactions of the association.

SECTION 2. That the capital stock of the association shall be one hundred thousand dollars, to be divided into shares of fifty dollars each, and may be increased, from time to time, to, not exceeding, two hundred thousand dollars, as the managers, thereof, shall deem necessary, for which, certificates shall be issued, signed by the president, countersigned by the secretary,

Corporators.

Name.

Privileges.

Real estate.

Capital stock.

Certificates to be issued.

Transferable.	and sealed with the common seal of the association; which certificates shall be transferable, at pleasure, by the owner thereof, or by attorney duly authorized for that purpose, in the presence of the secretary, and treasurer, in a book to be kept for that purpose; and no person can hold more than ten shares of stock in the said association.
Business, relative to.	SECTION 3. That the said association shall have power, through its duly authorized agents, to carry on the business of general dealers, both wholesale, and retail, to buy, and sell, all kinds of goods, wares, merchandize, produce, provisions, fuel, and such other articles, that may be necessary to carry on the business of general dealers, to receive, and sell, goods upon commission, to encourage stockholders, so as to enable them to purchase, to a better advantage, the necessities of life; each stockholder shall receive, quarterly, a bonus of not less than two nor more than five per cent., on all his, or her, purchases, from the said association, for the preceding quarter, payable ten days after the expiration of the quarter: <i>Provided</i> , Said purchases are not wholesale.
Proviso.	
When election of managers to be held.	SECTION 4. That when the sum of twenty-five thousand dollars shall have been subscribed to said association, and not less than five thousand paid in, in cash, there shall be an election, held by the stockholders, for thirteen managers, who shall serve the said association, from the time of their election until the first Monday in March thereafter ensuing, on which day, and annually thereafter, on the first Monday in March, a general meeting of the stockholders shall be held, of which, three weeks' public notice shall be given, for the election of thirteen managers, to serve one year; and the said managers shall elect one of their number president, and one vice president, to serve for the same time; and they shall, also, annually, elect some good, and competent, person as secretary, and treasurer; at all elections, each stockholder shall have but one vote; but if such election should not then take place, the association shall not for that cause be dissolved, but such meeting shall take place as soon thereafter, as may be, two weeks' public notice thereof, first being given, in at least two weekly newspapers, published in Reading; and said managers shall hold over until their successors are elected.
Notice.	
Officers.	
Votes.	
Failure to hold election, relative to.	
By-laws.	SECTION 5. That the stockholders of said association shall have power to make by-laws, not inconsistent with the laws of the United States, and of this commonwealth, and the same to alter, repeal, or amend, from time to time; and the board of managers shall do all such acts, and things, for the proper regulation, government, and advancement, of the corporation, as they may deem necessary; to require the secretary, and treasurer, to keep correct minutes of their proceedings, and further, to require the secretary, and treasurer, to give a bond, with sufficient sureties, of not less than ten thousand dollars, conditioned for the faithful performance of his duties, as the chief executive, and superintending, officer, of the association, in the absence of any special directions from the managers; the managers shall, also, have power to declare dividends of so much of the net profits of the corporation, as shall appear to them advisable, on the first Mondays of March and Septem-
Secretary, and treasurer, to give bond.	
Duties of.	
Managers may declare dividends.	

ber, in each year, which shall be paid to the stockholders, on demand, ten days after the same shall have been declared.

SECTION 6. That the stockholders, of the said association, shall be jointly, and severally, liable, in their individual capacities, for all debts, and contracts, made by said association, to the amount remaining unpaid on each share of stock held by them, respectively, and, also, for all debts due mechanics, workmen, and laborers, employed by, and for materials furnished to, said association, to be sued for, and collected, as provided by the twelfth, thirteenth, and fourteenth, sections of an act incorporating the Lackawanna Iron and Coal Company, approved April fifth, one thousand eight hundred and fifty-three. Individual lia-  
bility.

SECTION 7. That the said association shall pay a bonus, to the state, of one-half of one per centum, on their capital stock, as paid in, payable in four equal, annual, instalments; the first payment to be made, within one year from the passage of this act, and shall, also, pay such tax on dividends as is, or may be, provided by law. Bonus.  
  
Tax on divi-  
dends.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 249.

## An Act

Relating to the assessment, and collection, of taxes in Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the seventh section of the act, entitled "An Act relating to county rates, and levies," approved the fifteenth day of April, Anno Domini one thousand eight hundred and thirty-four, shall not be construed so as to prevent the county commissioners of Montgomery county, from levying a county tax, in any one year, exceeding the rate of one cent in every dollar of the adjusted valuation of the taxable property, in said county, for the purpose of paying bounties to volunteers, or for the purpose of discharging liabilities thereby incurred; and the time for making out the transcripts of the assessments of taxes, in said county, and transmitting the same to the respective assessors, with a statement of the rate per centum, Rate of county  
tax may be in-  
creased.  
  
Purpose of.  
  
Time for mak-  
ing transcripts,  
&c., extended.

and the day of appeal fixed by the commissioners, is hereby extended, for the present year, until the first Monday in May.

Repeal of act  
relative to ap-  
pointment of  
tax collectors.

SECTION 2. The act, entitled "An Act relative to the appointment of the collectors of taxes in Montgomery county," approved the fifth day of April, Anno Domini one thousand eight hundred and sixty, is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 250.

## A Further Supplement

To an act relating to Allegheny county, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Enforcement of  
payment of  
taxes upon un-  
seated lands,  
relative to.

That the first section of the act, approved the twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three, entitled "A further supplement to an act, entitled 'An Act relating to Allegheny county,' approved the first day of May, Anno Domini one thousand eight hundred and sixty-one," be and the same is hereby repealed; and that the twenty-fourth and twenty-fifth sections of said act, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, and, also, the said supplement, to said act, approved April eighth, Anno Domini one thousand eight hundred and sixty-two, be and the same are hereby revived, and continued in full force, and effect, in said county of Allegheny, subject to the modifications of this act.

Controller to  
deliver to pro-  
thonotary state-  
ment of uncol-  
lected taxes on  
real estate.

SECTION 2. That it shall be the duty of the controller, within three months after the passage of this act, to deliver, to the prothonotary, for entry in the proper docket, a certified statement, as provided in the act to which this is a supplement, of all the uncollected taxes, on real estate, which shall have been reported to him, and from which the treasurer shall have been exonerated, up to the first day of April, Anno Domini one

thousand eight hundred and sixty-four; and writs of *scire facias* may be issued, against the parties, so charged, in the manner prescribed in the twenty-fifth section of the act to which this is a supplement, on, and after, the first day of July, one thousand eight hundred and sixty-four: *Provided*, That the statements, of unpaid taxes, entered on the docket, in the office of the prothonotary of said county, previous to the passage of the act, approved the twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three, be and the same are hereby validated, and continued in full force, and effect; and it is hereby declared, that it is not the true intent, and meaning, of the first section of said act, to impair, invalidate, or in any way affect, said liens.

Writs of *scire facias* to be issued.

Statements, previously entered, to continue in force.

SECTION 3. It shall be the duty of the collectors of taxes, when returning real estate, to the commissioners, for exoneration of taxes, to furnish, in writing, a description of each separate lot, or piece, of ground, sufficient to identify the same; and in default of such description being furnished, no exonerations of taxes, assessed on such real estate, shall be allowed.

Tax collectors to furnish description of property exonerated.

SECTION 4. That from, and after, the passage of this act, it shall be the duty of the treasurer to keep an accurate, and separate, account, in a book, to be provided for that purpose, of all city, poor, school, borough, and road, taxes, received by him, from the proceeds of the sales of real estate, for taxes, or otherwise collected, and paid over, to him, and credit, to each district, of said county, the several amounts due to the said district. He shall be entitled to retain, out of said moneys, so received, by him, five per centum commission, for his services, and, on payment, of said moneys, to the districts, and authorities, entitled to receive the same, he shall take proper receipts, and vouchers, for the same, and, at the expiration of his term of office, shall deliver said book, and the balance of moneys, in his hands, to his successor, in office; and the account of the treasurer shall be audited, by the controller, and published, with his annual statement.

Treasurer to keep account of taxes received from sales.

Commission allowed.

Account to be audited.

SECTION 5. That the controller be, and he is hereby, authorized to credit Aaron Floyd, late county treasurer, with the amount of the tax, of twenty-seven mills, assessed in the year one thousand eight hundred and sixty-two, to pay the interest, on bonds, issued by the county of Allegheny, in payment of subscription, to the capital stock, of certain railroad companies, and with which, the said Aaron Floyd now stands charged; and, also, to refund, to all parties, respectively, who have paid said tax, or any part thereof, the amount, so paid, on production of the receipts, of the treasurer, therefor: *Provided*, That the said, late treasurer, shall not be relieved, until he shall have paid all the moneys, in his hands, belonging to the county, to his successor, in office.

Controller authorized to credit Aaron Floyd with certain tax, &c.

Proviso.

SECTION 6. That an additional compensation, of five per centum, be allowed, to the collectors, for the collection of the unpaid taxes, in the manner prescribed in the twenty-third section of the act, to which this is a supplement, to be paid by the party, or parties, charged with said unpaid taxes, and in the default mentioned in said act.

Additional compensation for collection of unpaid taxes, how paid.

Prothonotary's  
fee.

SECTION 7. That the fee of the prothonotary, for entering the certified statement, of taxes, in each case, shall be fifty cents.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 251.

## A Further Supplement

To an act, entitled "A supplement to an act to regulate the sale of intoxicating liquors," approved April twentieth, one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in Philadelphia, all applicants for license, to sell intoxicating liquors, by any measure, less than one quart, shall appear before the commissioners of said city, between the first Monday in March, and the first Monday in April, in each and every year, and make, and sign, an oath, or affirmation, of the amount of their respective sales of liquors, and other refreshments, at their respective bars, to the best of their knowledge and belief; and said commissioners are hereby authorized to administer said oath, or affirmation, and required to file the same in their office, and rate, and classify, each applicant, in accordance therewith: *Provided*, That any applicant, for a license, for a place not previously licensed, shall be rated and classified by them, for the first year, as they may deem just, after considering the locality of the premises, for which license is asked; and they shall make out a correct list of all such applicants, with their names, places of business, and the class in which they are respectively placed, and furnish the same to the city treasurer, who shall advertise the same, once a week, for three weeks, in two daily papers; for which service, each commissioner shall receive the sum of fifty cents, and the expense of advertising the same: *Provided*, It does not exceed fifty cents in each case, to be paid by the applicant: *Provided*,

That nothing herein contained, shall be construed to authorize any different classification, than that now authorized by law.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 252.

## A Further Supplement

To the act consolidating the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from, and after, the passage of this act, it shall not be lawful for any person to act as a member of the board of control, of the first school district of Pennsylvania, unless such person shall be a member of the board of school directors, of the section by which he was elected, nor after his term, as a member of said board of school directors, shall have expired.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 253.

## An Act

To incorporate the Waynesboro', Quincy, Funkstown and Fayetteville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners.	That Henry George, George M'Ferren, Holker Hughes, George Knoffer, Andrew Hauk, John Brown, John Crawford, John Dull, George Ross, Wilson Reilly, John Bigham, I. S. Brown, George Smith, Calvin M. Duncan, Andrew Mann, John Small, George Besore, Alexander Hamilton and David Greenawalt, of the county of Franklin, or any five of them, be and they are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, by the name, style, and title, of the Waynesboro', Quincy, Funkstown and Fayetteville Turnpike Road Company, to locate, and construct, a turnpike road, on the site of the present road, or otherwise, as the said
Title.	company shall direct, leading from Waynesboro', in Franklin county, via. Quincy and Funkstown, to Fayetteville, in said
Location of road	county, subject to all the provisions and restrictions of an act, entitled "An Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, Anno Domini one thousand eight hundred forty-nine, and the supplement thereto, approved the seventh day of April, Anno Domini one thousand eight hundred and forty-nine, so far as the said act and supplement are not inconsistent with the provisions of this act.
Subject to.	
Capital stock.	SECTION 2. That the capital stock of said company shall consist of fifteen hundred shares, at twenty dollars per share :
Proviso.	<i>Provided</i> , That said company may, from time to time, at a meeting, or meetings, of the stockholders, called for that purpose, increase their capital stock to such an amount as, in their opinion, may be required to complete the said road, according to the true intent, and meaning, of this act.
When road to be commenced, and completed.	SECTION 3. That the said company may commence the construction of their road at any intermediate point : <i>Provided</i> , That such commencement shall be made, within five years after the passage of this act ; and should the said company fail to complete their road, within ten years from and after the same shall have been commenced, then, this act shall be null and void, except so far as the same may be necessary for settling the affairs, and paying the debts, of the company : <i>And provided</i> , That the said road, at its northern termination, shall intersect the Chambersburg and Gettysburg turnpike road, at, or near, the grave-yard, at the east end of Fayetteville, on William Mentzer's lands.
To intersect Chambersburg and Gettysburg road, at a certain point.	

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 254.

**An Act**

To authorize the Commissioners of Mifflin county to pay a bounty to volunteers, and legalize their acts for that purpose heretofore.

WHEREAS, The commissioners of the county of Mifflin, at the request of a large number of the citizens of that county, agreed to pay a bounty of fifty dollars to each volunteer, under the call made in the summer of one thousand eight hundred and sixty-three, for three months' men, to repel the invasion of the state by the rebels; and the money was furnished said commissioners, by certain of the citizens of said county, which was to be refunded by the said county, upon the legislature of the state legalizing the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners, of the county of Mifflin, are authorized, and empowered, to borrow a sum of money, not exceeding twenty-five thousand dollars, and issue bonds for the same, bearing six per cent. interest, payable at such times as the said commissioners shall designate, for the payment of a bounty of fifty dollars, to each and every volunteer from said county, during the summer of one thousand eight hundred and sixty-three, under the call of the three months' and six months' men, for the emergency, during the rebel invasion of this state, and for the payment of any moneys loaned, or furnished, said commissioners, for said purpose, by any citizen, or corporation, of this state; and any engagement, or conditional promise, to pay said moneys, by said county commissioners, is hereby legalized, and authorized, and directed, to be executed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 255.

*An Act*

Extending, to the county of Allegheny, the provisions of an act, supplemental to an act to consolidate the city of Philadelphia, passed the second day of February, Anno Domini one thousand eight hundred and fifty-four, and to prevent frauds at elections, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That all the sections, except the eleventh, of an act supplementary to an act to consolidate the city of Philadelphia, passed the second day of February, Anno Domini one thousand eight hundred and fifty-four, and to prevent frauds at elections, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, be and the same are hereby extended to each election district in the county of Allegheny, which heretofore has, or hereafter may, poll, at the general election, more than three hundred votes; and that the authority contained in the thirteenth section of said act, to appoint return inspectors, be extended to both the October, and November, elections, which may be held during the present year, in the said county of Allegheny.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred sixty-four.

A. G. CURTIN.

No. 256.

*An Act*

To amend the fee bill of justices of the peace, in the county of Warren.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act of assembly, approved the eigh-

teenth day of March, one thousand eight hundred and sixty-three, entitled "An Act to amend the fee bill, as to justices of the peace, in the counties of Erie and Crawford," be and the same is hereby extended to the county of Warren.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 257.

## An Act

For the relief of James T. Burns, former treasurer of Clarion county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditors of Clarion county are hereby authorized, and required, to open the accounts of James T. Burns, former treasurer of Clarion county, and with the approval of the county commissioners, to re-settle, and equitably re-adjust, the same, allowing the same right of appeal, to the courts, that is provided for, by law, in the settlement of treasurers' accounts.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 258.

## A Further Supplement

To the act to incorporate the city of Philadelphia.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the city of Philadelphia shall have power to construct sewers in the streets of the said city, and to charge, therefor, the sum of seventy-five cents for each lineal foot, against each front, the same to be recovered, as liens, for the laying of water pipe, are now recovered in said city, and with the same allowance for corner lots: *Provided, however,* That for branch sewers, the consent, or request, in writing, of the majority of the owners of property, fronting on the street, or streets, intended to be culverted, be first obtained, and filed, in the office of the department of sewers: *Provided also,* That the request, in writing, of a majority of the property owners, only, on the line of any street, lane, or alley, shall be requisite, to authorize the improvement of the same; and that all acts, which conflict herewith, be and the same are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN

No. 259.

## An Act

To incorporate the Ladies' Soldiers' Aid of Weldon.

*Preamble.*

WHEREAS, A number of ladies of Abington township, in the county of Montgomery, have formed themselves into an association, for the purpose of giving aid to the sick, and wounded, soldiers, and finding their means of procuring funds, by contribution only, inadequate, have resolved to erect a hall, in which, lectures, concerts, and exhibitions, can be given, for the furtherance of their object, and for other benevolent, and literary, purposes; therefore.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the members of the association, and all such ladies as may hereafter become members of the same, be and they are hereby incorporated into an association, by the name of the Ladies' Soldiers' Aid of Weldon, and by that name, shall have perpetual succession, with power to have a common seal, to make contracts, take, hold, mortgage, and convey, any estate, real, and personal, the annual income of which shall not exceed the sum of three thousand dollars, to be appropriated solely for the purposes mentioned in the preamble of this act, and for the preservation, and repairs, of the property held by them.

SECTION 2. That the officers of the said corporation shall consist of a president, vice president, treasurer, and secretary, and such other officers as may be found necessary to transact the ordinary business of the association; there shall be a board of six managers, in which, shall be included the aforementioned president, treasurer, and secretary, whose duty it shall be to procure a suitable location for a hall, superintend the construction of the building, and to supervise its use, and fully to control, and manage, the affairs of the association; the officers, and managers, shall be elected, annually, by ballot, on the first Wednesday of March; if an election should not take place on that day, the corporation shall not, for that cause, be dissolved, but an election shall be held as soon afterwards as the same can be conveniently done; and until such election, the officers of the preceding year shall continue to act; until the next annual election, the officers, and board of managers, shall consist of Emeline M. Tyson, president, Hannah A. Tyson, treasurer, Mrs. Russell Smith, secretary, Mary B. Tyson, Elizabeth T. Williams, and Sallie Ann Ivins.

SECTION 3. That fifteen members of said association shall constitute a quorum for the transaction of business; the powers, and duties, of the officers, and managers, the times of meeting of the said corporation, the admission of new members, and such other matters necessary to carry out the true intent, and purpose, of the corporation, shall be regulated by by-laws, hereafter to be made, which the said corporation is hereby authorized to make, and alter, in the manner which may be therein mentioned: *Provided*, That the same are not inconsistent with the constitution, and laws, of the United States, and this commonwealth.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 260.

**A Supplement**

To an act to incorporate the New Castle and Franklin Railroad Company, approved the twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the words, "ten thousand," contained in the second section of the act, to which this is a supplement, be and the same is hereby changed to the words, "ten hundred thousand."

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 261.

**A Supplement**

To an act to authorize the erection of a poor house by the township of Wilkesbarre, in the county of Luzerne.

Preamble.

WHEREAS, By an act of the general assembly, of the state of Pennsylvania, approved on the second day of April, Anno Domini one thousand eight hundred and sixty, the township of Wilkesbarre, in Luzerne county, was authorized, and empowered, to erect a poor house, for the accommodation of the poor of said township:

*And whereas,* By a supplement to said act, approved on the first day of March, Anno Domini one thousand eight hundred and sixty-two, the townships of Plains, Hanover, Newport, and Plymouth, all in said county, were annexed to, and made a part of, the district named in the first act aforesaid, under the style, and title, of the directors of the poor of the Central district, in the county of Luzerne, with power, on the application of a majority of the tax-payers, of any township, or borough, to annex said township, or borough, to the Central

district, aforesaid, upon payment of a fair, and equitable, proportion of the cost, and expenses, of erecting the poor house aforesaid :

*And whereas,* The poor district, of the borough of Kingston, and of Kingston township, in Luzerne county, having applied to be annexed to the said Central district, have been so annexed, and the court of quarter sessions, of Luzerne county, have duly appointed Abram Nesbit, of the borough of Kingston, a director for said borough, of said Central district, and James Vanloon, of the township of Kingston, a director for said township, of said Central district, to hold said office, subject to the provisions of the act, aforesaid, until the second Tuesday of January, Anno Domini one thousand eight hundred and sixty-eight ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough of Kingston, and the township of Kingston, both in the county of Luzerne, be and are hereby annexed to, and made a part of, the Central district, in the county of Luzerne : *Provided,* That Abram Nesbit, who has been appointed, by the court of quarter sessions, a director for said Kingston borough, shall pay, or secure to be paid, to said Central district, the sum of five hundred and eleven dollars and twelve cents, being the proportionate share of said borough, for the cost, and expense, of erecting a poor house, by the township of Wilkesbarre ; and that James Vanloon, who has been appointed, by the court of quarter sessions, a director for Kingston township, shall pay, or secure to be paid, to said Central district, the sum of two thousand two hundred and forty-eight dollars and eighty-nine cents, being the proportionate share of said township, of the cost, and expense, of erecting the poor house by the township of Wilkesbarre.

Kingston borough, and township, annexed to Central poor district.

Conditions.

SECTION 2. That Abram Nesbit, and James Vanloon, the directors appointed, aforesaid, shall have full power, and authority, to assess, levy, and collect, a special tax, or taxes, to be levied of persons, and property, subjects, and things, taxable for county purposes, in said borough, and township, for the payment of the proportionate share of said borough, and township, aforesaid ; and said directors may collect said tax, or taxes, themselves, or may appoint a collector, who shall give security in the same manner, exercise the same powers, and be liable to the same penalties, as provided in the act of the first of March, Anno Domini one thousand eight hundred and sixty-two, relative to the townships constituting the Central district, aforesaid.

Directors authorized to levy special tax.

Collection of.

SECTION 3. That from, and after, the passage of this act, no director, of the said Central poor district, shall be excluded from giving testimony, in any suit, or action, in which the said Central district may be, in any wise, interested ; but shall be admitted to give testimony, as fully, as if he was not a director of said poor district.

Directors may give testimony.

SECTION 4. That three of the senior auditors of the townships, and boroughs, of the district, shall constitute a quorum, for the transaction of business.

Auditors, quorum of.

Property ex-  
empt from taxa-  
tion.

SECTION 5. That the property, belonging to the said Central poor district, shall be exempt, henceforth, and hereafter, from all taxes.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 262.

## An Act

To authorize Silas Johnson, collector of the township of Delmar, in Tioga county, to collect certain taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the warrants issued by the authorities of Delmar township, in Tioga county, to Silas Johnson, collector for said township, bearing date the twenty-third day of April, Anno Domini one thousand eight hundred and sixty, with a duplicate of poor tax annexed thereto, and warrant, bearing date twenty-third day of April, Anno Domini one thousand eight hundred and sixty, with duplicate for cash road tax annexed thereto, and warrant, bearing date the eleventh day of May, Anno Domini one thousand eight hundred and sixty-one, with duplicate of poor tax annexed thereto, and warrant, bearing date the thirtieth day of March, Anno Domini one thousand eight hundred and sixty-one, with duplicate of cash road tax annexed thereto, and, also, a warrant, bearing date the twenty-second day of February, Anno Domini one thousand eight hundred and sixty, issued by the commissioners of Tioga county, to said Silas Johnson, for the collection of state, and county, taxes, and, also, warrant by the commissioners of Tioga county, to said Silas Johnson, for the collection of state, and county, taxes, bearing date the twenty-fifth day of February, Anno Domini one thousand eight hundred and sixty-one be and the said warrants are hereby respectively renewed, and continued, in full force, and virtue, for, and during, the term, and time, of two years from, and after, the passage of this act; and the said Silas Johnson, is hereby authorized to proceed, and collect, of each, and every, person, or persons, named in each, and every, of the said duplicates, an-



nexed to said warrants, respectively, the sum, or sums, unpaid, opposite each person, or person's name, in the same manner, and with the same effect, as though the said several warrants had, severally, borne even date with the passage of this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 263.

## An Act

Relating to Restaurants, and Beer Houses, in the county of Cumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That the provisions of an act, entitled "A further supplement to an act to regulate the sale of intoxicating liquors," approved the second day of April, Anno Domini one thousand eight hundred and sixty, be and the same are hereby extended to Cumberland county; and all acts, and parts of acts, now in force, in said county, inconsistent herewith, be and the same are hereby repealed. Certain provisions extended to.  
Repeal.

SECTION 2 Licenses to keep restaurants, and beer houses, in said county, shall only be granted by the court of quarter sessions, at the first, or second, session in each year, and the applicant shall present to the court, with his, or her, petition, a certificate signed by at least twelve reputable citizens of the ward, borough, or township, in which, such restaurant, or beer house, is proposed to be kept, setting forth that the applicant is of temperate habits, and good, moral, character; and said applicant shall give notice of his intended application, in two newspapers, printed in said county, for two successive weeks, prior to the court, at which, application is made. Licenses, when and how granted.  
Notice.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 264.

## A Further Supplement

To an act to incorporate the Mount Moriah Cemetery Association of Philadelphia, approved March twenty-seventh, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That no road, street, alley, or passage way, shall ever be opened through the land purchased by the Mount Moriah Cemetery Association of Philadelphia, under the authority granted by an act, entitled "A supplement to the act to incorporate the Mount Moriah Cemetery Association of Philadelphia, passed the twenty-seventh day of March, one thousand eight hundred and fifty-five," which supplement was approved the ninth day of April, one thousand eight hundred and fifty-seven; and the land, so purchased by the said association, shall be exempted from the payment of all taxes, except state tax.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 265.

## An Act

To incorporate the Real Schul Verein (the German American School Association) of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That L. George Frank, Frederick Dittmann, Andrew Schuhmacher, A. Rothe, Joseph Kinicke, Francis Fraas, Charles Hofman, C. F. Kiefer, C. F. Huch, Henry Crentzburg, F. Aschenbach, Jacob Aicher, C. F. Rumpp, and all persons, who are now, or who may hereafter be, associated with them, and their successors, are hereby created, and erected, into a body

Corporators.

politic, and corporate, in deed, and in law, by the name, style, and title, of the Real Schul Verein (the German American Title. School Association) of Philadelphia; and by that name, shall have perpetual succession, and shall be able to sue, and be Powers and sued, plead, and be impleaded, defend, and be defended, in privileges. all courts of law and equity, within this commonwealth, or elsewhere; and also to take, and hold, either by gift, grant, devise, or lease, any real estate; and by gift, grant, bargain, and sale, will, or bequest, any goods, and chattels, sum, or sums, of money, from any person, or persons, for the use of the said corporation; and also, to sell, and convey, and to mortgage, all, or any part, of the real estate held by the said corporation: *Provided, however,* That the clear, yearly, in- Income. come of the real estate, held by the said corporation, shall not exceed the sum of five thousand dollars.

SECTION 2. The object of the said corporation shall be the Objects. establishing, and maintaining, of a school, or schools, for the education of youth, of both, or either of, the sexes, and for the furtherance of the knowledge of sciences, and languages, and the forming, and keeping up, of a library in connection therewith: *Provided, however,* That all sectarian tendency, in Prohibition. the instruction given to the pupils, and in the selection of books, shall be prohibited.

SECTION 3. The members of the said corporation shall be Membership. male persons of full age; their rights, and duties, shall be fixed by the by-laws.

SECTION 4. The members of the said corporation shall be By-laws. empowered to make, alter, and rescind, by-laws, rules, and regulations, not inconsistent with the provisions of this charter, or the laws of the land.

SECTION 5. The management of the affairs of this corpora- Board of mana- tion shall be intrusted to a board of managers, which shall gers. consist of a president, a vice president, a treasurer, a secretary of finance, a secretary, an assistant secretary, a librarian, and six associates; every officer must be able to speak the German Their duties, language fluently; the rights, and duties, of the officers, their &c. election, and term of office, shall be fixed by the by-laws.

SECTION 6. Meetings of the members, of the said corpora- Meetings, when tion, shall be held quarter-yearly, in the first week of the to be held. months of March, June, September, and December, in each and every year, due notice of which shall be given by the sec- Notice of. retary; and special meetings of the members may be called, and held, at any time, upon the request, in writing, of not less than five members of the board of managers, or fifteen members of the corporation: *Provided,* That due notice be given, Proviso. of the time, and place, where such meeting is to be held, at least five days previous to the day appointed for the holding thereof.

SECTION 7. Until an election of officers can take place, the Of whom, board board of managers, of this corporation, shall consist of the to consist, until following persons: L. George Frank, Frederick Dittman, election. Andrew Schuchmacker, A. Roth, Joseph Kinike, Francis Fraas, Charles Hofman, C. F. Kiefer, C. F. Huch, Henry Orentzburg, F. Aschenbach, Jacob Aicher, and C. F. Rumpff.

Dissolution of  
corporation,  
relative to.

SECTION 8. This corporation shall not be dissolved, as long as thirteen members adhere to this constitution; and, in case of a dissolution, all the estate, and property, of the corporation, shall be sold, the debts paid, and, whatever residue there remains, shall fall to the German Society of Philadelphia, contributing for the relief of distressed Germans of the state of Pennsylvania.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 266.

## An Act

To extend the time of closing the polls, at the elections, in the borough of Bethlehem.

WHEREAS, The vote polled in the borough of Bethlehem, in the county of Northampton, is unusually large:

And whereas, A large portion of the voters are either engaged, during the days of election, at work, until six o'clock, or reside some distance from the polls, rendering it almost impossible to receive all the votes, up to the hour of seven o'clock, the time fixed by the general election laws; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from, and after, the passage of this act, the polls of the borough, and general, elections, in said borough, shall be kept open until eight o'clock in the afternoon.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 267.

**An Act**

Authorizing the town council, of the borough of Mahanoy City, to borrow money, and regulating the number and term of councilmen therein, et cetera.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the town council, of the borough of Mahanoy City, be and they are hereby authorized, and empowered, to borrow, on the credit of said borough, any sum, or sums, of money, not exceeding twenty thousand dollars, and to issue coupon bonds, or certificates of indebtedness, under the corporate seal of said borough of Mahanoy City, attested by the president, and secretary, of the council, for the time being, in sums of not less than fifty dollars each, payable at the expiration of ten years, or any shorter period, at the discretion of said town council, from the date of issue, at a rate, not exceeding six per centum, per annum, which interest shall be payable semi-annually, to the holder, or holders, of such bond, or bonds, certificate, or certificates; and the said town council shall have authority, from time to time, and as often as the same may be necessary, to raise, by taxation, in the manner pointed out by existing laws, for that purpose: *Provided*, Such tax does not exceed ten mills, such sum, or sums, of money as may be necessary to pay off the principal, and interest, of said bond, or bonds, certificate or certificates: *Provided*, That such money, when borrowed, shall be applied to the making, grading, and repairing, of the streets, alleys, and lanes, within the limits of said borough.

Authorized to borrow money, and issue bonds, or certificates, therefor.

May levy tax for payment of.

Proviso.

How money to be applied.

SECTION 2. That vacant lots, whether owned by residents, or non-residents, shall bear their *pro rata* proportion of such tax, which tax shall be collected in the manner prescribed by law

Tax upon vacant lots, relative to.

SECTION 3. That the number of councilmen, of said borough, shall be limited to six persons, duly qualified; that the present council shall divide themselves, by lot, or otherwise, into three classes, the term of the first class to expire at the next annual borough election, the term of the second class to expire at the second annual borough election, the term of the third class to expire at the third annual borough election, so that hereafter, at the annual borough election, two persons shall be elected, for borough councilmen, who shall serve for three years: *Provided*, That in case of a tie vote, in said council, the question shall be submitted to the chief burgess, who, in such case, shall have the casting vote, but who, when such tie does not exist, shall not have, nor throw, a vote.

Number of councilmen fixed.

Classification of.

Tie vote in council, relative to.

SECTION 4. That in case of death, removal, or resignation, of the burgess, or other vacancy, in any office, such vacancy

Vacancies, how filled.

shall be filled by a new election for his term of office, within ten days thereafter, by the council.

The vote for councilmen, relative to.

SECTION 5. That in case an equal number of votes be cast at any borough election, hereafter, for any two, or more, persons, for councilmen, then, in such case, the old council shall elect, by ballot, from the parties receiving the votes as aforesaid; and such election, shall, in all cases, be made, within ten days after such borough election.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 268.

## An Act

Changing the venue of certain actions of ejectment, from Armstrong to Allegheny county.

Change of venue of certain actions of ejectment, authorized.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That those two certain actions of ejectments, now pending in the court of common pleas of Armstrong county, the one wherein Benjamin Rush Bradford is plaintiff, and James Guthrie, Alexandria Guthrie, and John Guthrie, are defendants, number ninety-seven, of September term, one thousand eight hundred and fifty-eight; the other, wherein the said Benjamin Rush Bradford is plaintiff, and William M'Caslin, William Kennedy, James M'Caslin, and Andrew Mitchell, are defendants, number ninety-eight, of September term, one thousand eight hundred and fifty-eight, be and the same are hereby removed, and transferred, with the records, and all the papers thereunto belonging, to the district court of the county of Allegheny, there to be tried in said court, and before a jury, or juries, from said county of Allegheny, in the same manner as if said actions had been originally brought, in said district court; and the records, and papers, in said actions, shall be certified by the court of common pleas, of Armstrong county, to the said district court of Allegheny county, for trial, as aforesaid; and upon judgment, or judgments, being entered, such writs of execution shall be issued from said court, as shall be necessary to carry the same into effect.

Records and papers to be certified to district court of Allegheny county.

SECTION 2. That all judgments of the said district court, or the cases aforesaid, shall be subject to writ, or writs, of error, as in other cases; and, in case of reversal, and new trial awarded, the same shall be tried in the district court aforesaid, as is hereinbefore provided. Judgments of said court subject to writs of error.

SECTION 3. That in the case already tried, and now pending, upon a motion for a new trial, the said district court shall proceed to hear the reasons in support thereof; and with the aid, and presence, of Honorable James Campbell, before whom, the verdict of the jury was given, determine the same motion, and make such orders therein, as to justice, and equity, shall belong: *And provided further*, That if said motion, for a new trial, shall be denied, and judgment entered in said case, said district court shall seal such bills of exception as the court of common pleas, of Armstrong county, would have been bound to seal in said case; and a writ of error shall lie, to said judgment, in the same manner as if the said judgment had been entered by the said court of common pleas, of Armstrong county: *Provided*, *however*, That said writs shall issue to the said district court: *And provided also*, That it shall be the duty of the said Honorable James Campbell, president judge of the eighteenth judicial district, to attend, and preside, with one, or more, of the judges of said district court, in the determination of said motion for a new trial: *Provided*, That before the change of venue, hereby authorized, shall be made, said Benjamin Rush Bradford shall give security, to pay all the additional mileage, and the additional costs, caused by said removal, more than if tried in the county of Armstrong. Proceedings upon motion, pending, for a new trial, relative to.

Proviso.

Proviso.

Proviso.

Security to be given for the payment of additional costs.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 269.

## An Act

Declaring Stony Fork creek, in the county of Tioga, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Stony Fork creek, in Delmar and Morris townships, in

the county of Tioga, is hereby declared a public highway, from its mouth up to Daniel Osborn's, in Delmar township.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENVEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 270.

## An Act

To incorporate the Kingston and Dallas Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

*Commissioners.* That Wesley Kunkle, John Urquhart, George A. Shafer, Steuben Jenkins, Samuel Raub, George M. Hollenback, John B. Smith, Albert Holcomb, Samuel Hoyt, John Reichard, and Abram Ryman, or any five of them, be and are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, by the name, style, and title, of the Kingston and Dallas Turnpike Company, to construct a turnpike road, commencing at the main road, leading through Kingston township, at a point between what are known as Pettibone's Corners, and lands of Jacob Sharps, and running thence by the nearest, and best, route, to the village of Kunkle, in the township of Dallas, Luzerne county, with the privilege of taking, occupying, and changing, so much of any road, as may be necessary for the purpose of this road, as may be laid out, or in use, along the route of the same, and as may be deemed necessary to shorten, and improve, the same, by a change of location of any part thereof, subject to all the privileges, and restrictions, of an act, entitled, "An Act regulating turnpike and plank road companies," approved January twenty-sixth, one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as they are hereby altered, and supplied.

*Terra.*

*Route.*

*May use portion of other roads.*

*Subject to.*

Authorized to borrow money, and issue bonds therefor.

SECTION 2. That the said company shall have power to borrow money, at any rate, not exceeding six per centum per annum, for the purpose of completing their road, and issuing bonds therefor, and secure the same by mortgage of their road, and franchises; and the president and managers, of said company, shall have power to establish, and regulate, rates of



tolls, not exceeding double the rates established, by the act heretofore mentioned, and to erect toll-gates, and collect tolls, whenever one mile of their road shall have been completed. Rates of toll.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 271.

## A Supplement

To an act to incorporate the Strasburg and Big Spring Turnpike Road Company, passed the fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time within which said company shall commence said road, shall be extended to two years from the passage of this supplement; and the time within which the same shall be finished, shall be extended to four years from the passage hereof.

Time for commencing, and completing, road, extended.

SECTION 2. That the borough of Strasburg be and the same is hereby authorized to subscribe to the stock of said company, to an amount, not exceeding three thousand dollars in value; and that they be and hereby are authorized to borrow, at a rate, not exceeding six per centum, per annum, a sum of money, for the payment thereof, not exceeding three thousand dollars, and to issue their bond, or bonds, for the same.

Borough of Strasburg authorized to subscribe to stock.

May borrow money therefor.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 272.

## A Further Supplement

To an act authorizing certain persons to lease a tract of land, situate in the township of Falls, in the county of Bucks, and to appropriate the rents thereof, for the education of poor children, passed March twenty-fourth, Anno Domini one thousand eight hundred and seven.

### Preamble.

WHEREAS, The said tract of land, by reason of its situation, is much overgrown with bushes, et cetera, which requires a considerable portion of the rents to clear, and ditch, the same, suitable for cultivation, et cetera :

*And whereas,* The citizens of Falls township, at the time, and place, of the general election, held the thirteenth day of October, Anno Domini one thousand eight hundred and sixty-three, elected that the said tract of land be sold, agreeably to the provisions hereinafter stated ; therefore.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Trustees authorized to sell tract of land.

That the trustees now, or hereafter being duly, elected, and having charge of said tract of land, are hereby authorized to sell (and make title for the same) at public sale, or outcry, said tract of land, either all together, or in separate lots, as it will bring the greater price ; first having given due, public, notice thereof, in, at least, six different places in said township, ten days previous to the sale : *Provided,* It shall not be sold at a price less than forty dollars, on the average, per acre.

Notice.

Proviso.

Proceeds, how to be invested.

SECTION 2. *And be it further enacted,* That the said trustees shall invest the proceeds of the sale of said tract of land, in bond, and mortgage, on said premises, in part ; that is to say, not exceeding one half of the purchase money, if the consideration is not all paid on the delivery of the deed ; and that the balance of the purchase money, or the whole of it, (as the case may be,) shall be permanently invested, either in Pennsylvania state, or United States, stocks.

Election of trustees.

Renewal, or change of investments.

How interest to be appropriated

SECTION 3. *And be it further enacted,* That the trustees shall be hereafter elected, agreeably to the act of assembly, heretofore cited ; and that they shall be authorized to renew, or change, the investments, agreeably to the said provisions, if necessary, from time to time, and to appropriate the interest accruing on said investments, to the use of the public school fund, and to the purposes agreeably to the acts of assembly, heretofore provided.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 273.

## An Act

Authorizing Bushrod Northrup to erect a ferry, or foot-bridge, over Oil creek, at Funkville, in Cornplanter township, in the county of Venango.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Bushrod Northrup, his heirs, and assigns, shall have the right, and privilege, at his own expense, to make good and convenient landings, on each side of Oil creek, at, or near, the village of Funkville, in the township of Cornplanter, in the county of Venango, and to use the creek, between said landings, as a public ferry; and also the right, and privilege, of erecting posts, on any lands contiguous thereto, and to extend therefrom, and across said stream, a chain, or wire, in order to facilitate the crossing of said stream: *Provided*, That the said chain, or wire, shall be so extended as not to interfere with the navigation of said stream: *Provided also*, That the said Bushrod, Northrup, his heirs, and assigns, shall pay to the owner, or owners, of such lands, on which the before mentioned posts may be erected, all damages which may accrue to said owners, in consequence thereof; which damages shall be assessed by a jury of three persons, appointed by the court of quarter sessions, of Venango county, and their report, and proceedings, shall be the same, in every respect, as in the case of opening roads under existing laws: *And provided also*, That the said Bushrod Northrup, his heirs, and assigns, shall have the right to erect a foot-bridge, for the use of foot passengers, in lieu of a ferry, and, in such case, all the foregoing provisions, in relation to obstructing navigation, and damages, shall be binding on them.

Ferry authorized.

Proviso.

Damages, how to be assessed.

May also erect a foot bridge.

SECTION 2. That the said Bushrod Northrup, and his heirs, and assigns, shall keep good boats, and careful ferrymen, who shall constantly, as occasion may require, attend, for the transporting of travelers, and others, across the said stream, and, in case of the erection of a foot-bridge, shall keep the same in good repair at all times.

Ferry to be kept in good order, &c.

SECTION 3. That the said Bushrod Northrup, and his heirs, and assigns, shall demand, and receive, from persons passing over said stream, either by ferry, or foot-bridge, the sum of five cents.

Toll.

SECTION 4. That if any person, or persons, shall wilfully pull down, cut, or break, or in any way destroy, any chain, rope, wire, boat, or other property, or shall take from its moorings any boat, or craft, belonging to said ferry, or in any way injure the foot-bridge, should one be erected, he, she, or they, so offending, shall pay, to the said Bushrod Northrup, his heirs, and assigns, the sum of ten dollars, in addition to all damages

Penalties for injuries to boats, &c.

sustained by him, to be recovered as debts of like amount are recoverable.

Prohibition.

SECTION 5. That all persons are hereby prohibited from using said creek, for the purpose of a ferry, within sixty rods, either above, or below, said ferry; and any person, or persons, violating the provisions of this act, shall forfeit, and pay, to the said Bushrop Northrup, his heirs, and assigns, the sum of one dollar, for each, and every, traveler, carried over said creek, within said bounds, to be recovered as debts of like amount are, by law, recoverable: *Provided*, That nothing, herein contained, shall be so construed as to prevent, at any time, the erection of a bridge, over said creek, for the passage of wagons, carriages, et cetera, at, or near, said ferry, or foot-bridge.

Proviso.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 274.

## An Act

To authorize the construction of a bridge over Oil creek.

Construction of  
bridge autho-  
rized.

May receive  
tolls.

Provisions of  
general laws  
extended to.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Tarr, Francis B. Blood, James S. M'Crea, and James M. Barrows, their heirs, and assigns, be and are hereby authorized to construct, maintain, and keep up, a bridge across Oil creek, in the township of Cornplanter, in the county of Venango, at, or near, the first crossing, on the upper end of the Blood farm, and erect gates, and demand, and receive, tolls, for crossing the said bridge, at such rates as shall be fixed, from time to time, by the court of quarter sessions of Venango county.

SECTION 2. That all general laws of this commonwealth, for the protection of bridges, are hereby extended, and made applicable, to the aforesaid bridge, and all remedies given to bridge companies, by general laws, against violations of the same, and injuring bridges, and evading payment of tolls, are

hereby given to the said James Tarr, Francis B. Blood, James S. M'Crea, and James M. Barrows.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 275.

## An Act

To establish a ferry over the Allegheny river, at Walnut Bend, in Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That P. H. Siverly, and John Nevins, their heirs, and assigns, shall have the right, and privilege, at their own expense, to make good, and convenient, landings on each side of the Allegheny river, at a place called Walnut Bend, in Venango county, at the point where the road from Centreville to Plumerville, crosses said river, and to use the said river, between said landings, as a public ferry; also, the right, and privilege, of erecting posts on any land, or lands, contiguous thereto, and to extend therefrom, and across the Allegheny river, a chain, or wire, in order to facilitate the crossing of said stream; and, also, the right, and privilege, of making all necessary roads to connect their landings with the public roads: *Provided*, That the said P. H. Siverly, and John Nevins, and their heirs, and assigns, shall pay to the owner, or owners, of the land, or lands, on which the said landings, or other improvements, hereby authorized, shall be made, all damages which may accrue to said owner, or owners, in consequence thereof; which said damages, if they cannot be amicably arranged, shall be assessed by a jury of three persons, appointed by the court of quarter sessions of Venango county; and their report, and proceedings, shall be the same, in every respect, as in the case of opening roads, under existing laws.

Ferry authorized.

Damages, how to be assessed.

SECTION 2. That the said P. H. Siverly, and John Nevins, their heirs, and assigns, shall keep the said ferry in good order, and repair, fit for the transportation of travelers, teams, and

Ferry to be kept in good order, &c.

carriages, of all descriptions, across said river, with all reasonable diligence, and care; and, on any failure thereof, unless prevented by some unavoidable occurrence, they shall forfeit, and pay, a fine of five dollars, besides the actual damage done to any person, who shall suffer detention therefrom, and shall sue for the same within six months thereafter, before any justice of the peace within the said county of Venango.

Rates of toll to  
be fixed by  
court.

SECTION 3. That the said P. H. Siverly, and John Nevins, and their heirs, and assigns, for keeping, and maintaining, the said landings, and ferry, as aforesaid, shall receive, from persons passing over the river, at said ferry, such rates of compensation, or tolls, as may be fixed, from time to time, by the court of quarter sessions of the said county of Venango.

Penalty for in-  
juries to boats,  
&c.

SECTION 4. That if any person, or persons, shall wilfully pull down, cut, or break, or in any way injure, or destroy, any chain, wire, boat, or other property, or shall take from its moorings, any boat, or craft, belonging to said ferry, he, she, or they, so offending, shall pay to the said P. H. Siverly, and John Nevins, their heirs, and assigns, the sum of twenty dollars, in addition to all damages sustained by the said P. H. Siverly, and John Nevins, and their heirs, and assigns, to be recovered as debts of like amount are by law recoverable.

Prohibition.

SECTION 5. That all other persons are hereby prohibited from using the said river, for the purpose of a ferry, within one-half mile, either above, or below, said ferry; and any person, or persons, violating the provisions of this act, shall forfeit, and pay, to the said P. H. Siverly, and John Nevins, their heirs, and assigns, the sum of one dollar for each, and every, traveler, team, head of cattle, horse, or carriage, carried over said river, within the above named bounds: *Provided*, That nothing, in this act contained, shall be construed to prevent persons owning the shore on both sides of the river, within said limits, from transporting persons, and property, free of charge.

Proviso.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 276.

## A Further Supplement

To an act to incorporate the town of Ashland, partly in Schuylkill, and partly in Columbia county, into a borough, approved the thirteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That, hereafter, the borough of Ashland shall consist of three wards, to be called the East ward, West ward, and Middle ward; the line separating the East ward, and Middle ward, to commence at the northern boundary of said borough, and to be a direct line, extending through the middle of Seventh street, to the southern boundary of the said borough; all that portion of said borough, lying east of said line, to be included in, and called, the East ward; the line, separating the West ward from the Middle ward, to commence at the northern boundary of said borough, and to be a direct line, extending through the middle of Twelfth street, to the southern boundary of the said borough; all that portion of the said borough, lying west of the said line, to be called, and known, as the West ward, and all that portion of the said borough, lying between the said lines of Seventh and Twelfth streets, between the East and West wards, to be called, and known, as the Middle ward of the said borough.

To be divided  
into three  
wards.

Boundaries of.

SECTION 2. That the town council, of the said borough of Ashland, shall consist of nine members, three of whom shall be elected by each ward; and at the borough election, next succeeding the passage of this act, the qualified voters of each ward shall elect one person, to serve as councilman for one year, one person who shall serve as councilman for two years, and one person who shall serve as councilman for three years, who shall constitute the first town council, for said borough, under this act; annually thereafter, at the election for borough officers, one person shall be elected, by each ward, for councilman, who shall serve for three years; any vacancy, which may occur in said town council, may be filled by the remaining councilmen, until the next election, when the same shall be supplied by an election.

Councilmen,  
election of.

Vacancies.

SECTION 3. That at the said borough election, next succeeding the passage of this act, the qualified voters, of each of the said wards, shall elect three persons to be school directors, one of whom shall serve for one year, one of whom shall serve for two years, and one of whom shall serve for three years; and, at every subsequent election thereafter, the qualified voters of each ward shall elect one person for school director, who shall serve for three years.

Election of  
school direc-  
tors.

**Supervisor.** SECTION 4. That at the next election, succeeding the passage of this act, the qualified voters, of the said borough, shall elect one person to be supervisor of the said borough, who shall be under the control, and direction, of the burgess, and town council, and who shall only discharge his duties, as prescribed, and directed, by the burgess, and town council, as aforesaid; and at each of the borough elections, thereafter, one person shall be elected, as aforesaid, to serve as supervisor of the said borough.

**Place for holding elections in West ward.** SECTION 5. That in the West ward, of the said borough, the election polls, for all elections, shall be at the private house of Patrick Gallagher, Esq., on Centre street, in said ward, and that the following named persons, to wit: Patrick Gallagher, Esq., as judge, and William Levy, and Herman Webler, as inspectors, shall be the officers to hold the said borough, and other, elections, until other officers be duly elected, which may be done at the said election, next succeeding the passage of this act.

**Officers.** SECTION 6. That the election polls, in the East ward of the said borough, shall be at the public house of Michael Horan, in said ward, and in the Middle ward, at the public house of Peter Keller, in said ward, and that the election officers, in the East ward, continue to act until the expiration of their respective terms, for which they were elected, when other officers shall be regularly elected, according to law, to take their places, with power to appoint and supply vacancies, in case any should occur, through the division of the said borough into three wards, or otherwise; and that the election officers, elected in what was heretofore the West ward of the said borough, (now the Middle ward.) continue to serve as officers of the election board of the Middle ward of said borough, until the expiration of their respective terms for which they were elected, when other officers shall be regularly elected, according to law, to take their places, with power to appoint and supply vacancies, in case any should occur through the division of the said borough, or otherwise.

**Places for holding elections in East and Middle wards.** SECTION 7. That from and after the passage of this act, the high constable of the said borough, in addition to his duties as high constable, shall have the right, and it shall be his duty, to serve legal process, civil and criminal, such as writs of summons, executions, warrants of arrest, et cetera, and to do, and perform, any and all the acts, and duties, of a township, and district, constable, and shall be entitled to charge, and collect, the same fees, for his services, and to have all the rights, and protection, of a district constable: *Provided*, That before he can enter upon his duties as high constable, he shall first give security to the said borough, in such sum, and in such manner, as the said borough may require, as well as security, to the commonwealth of Pennsylvania, in such sum, and in such manner, as the court of quarter sessions of the county of Schuylkill may require him to give, for the faithful performance of his additional duties, as required, authorized, and permitted, by virtue of this act.

**Officers.** SECTION 8. That from and after the passage of this act, the borough election for the election of borough officers, as desig-

**Vacancies.** SECTION 9. That from and after the passage of this act, the high constable of the said borough, in addition to his duties as high constable, shall have the right, and it shall be his duty, to serve legal process, civil and criminal, such as writs of summons, executions, warrants of arrest, et cetera, and to do, and perform, any and all the acts, and duties, of a township, and district, constable, and shall be entitled to charge, and collect, the same fees, for his services, and to have all the rights, and protection, of a district constable: *Provided*, That before he can enter upon his duties as high constable, he shall first give security to the said borough, in such sum, and in such manner, as the said borough may require, as well as security, to the commonwealth of Pennsylvania, in such sum, and in such manner, as the court of quarter sessions of the county of Schuylkill may require him to give, for the faithful performance of his additional duties, as required, authorized, and permitted, by virtue of this act.

**Powers and duties of high constable.** SECTION 10. That from and after the passage of this act, the high constable of the said borough, in addition to his duties as high constable, shall have the right, and it shall be his duty, to serve legal process, civil and criminal, such as writs of summons, executions, warrants of arrest, et cetera, and to do, and perform, any and all the acts, and duties, of a township, and district, constable, and shall be entitled to charge, and collect, the same fees, for his services, and to have all the rights, and protection, of a district constable: *Provided*, That before he can enter upon his duties as high constable, he shall first give security to the said borough, in such sum, and in such manner, as the said borough may require, as well as security, to the commonwealth of Pennsylvania, in such sum, and in such manner, as the court of quarter sessions of the county of Schuylkill may require him to give, for the faithful performance of his additional duties, as required, authorized, and permitted, by virtue of this act.

**Fees.** SECTION 11. That from and after the passage of this act, the high constable of the said borough, in addition to his duties as high constable, shall have the right, and it shall be his duty, to serve legal process, civil and criminal, such as writs of summons, executions, warrants of arrest, et cetera, and to do, and perform, any and all the acts, and duties, of a township, and district, constable, and shall be entitled to charge, and collect, the same fees, for his services, and to have all the rights, and protection, of a district constable: *Provided*, That before he can enter upon his duties as high constable, he shall first give security to the said borough, in such sum, and in such manner, as the said borough may require, as well as security, to the commonwealth of Pennsylvania, in such sum, and in such manner, as the court of quarter sessions of the county of Schuylkill may require him to give, for the faithful performance of his additional duties, as required, authorized, and permitted, by virtue of this act.

**To give bond.** SECTION 12. That from and after the passage of this act, the high constable of the said borough, in addition to his duties as high constable, shall have the right, and it shall be his duty, to serve legal process, civil and criminal, such as writs of summons, executions, warrants of arrest, et cetera, and to do, and perform, any and all the acts, and duties, of a township, and district, constable, and shall be entitled to charge, and collect, the same fees, for his services, and to have all the rights, and protection, of a district constable: *Provided*, That before he can enter upon his duties as high constable, he shall first give security to the said borough, in such sum, and in such manner, as the said borough may require, as well as security, to the commonwealth of Pennsylvania, in such sum, and in such manner, as the court of quarter sessions of the county of Schuylkill may require him to give, for the faithful performance of his additional duties, as required, authorized, and permitted, by virtue of this act.



nated in the charter of the said borough of Ashland, shall be held on the third Friday of February, in each year, at the same time, same place, and manner, and by the same officers of election that hold the election for inspectors, justices of the peace, constables, supervisors, et cetera; and that so much of the act, or charter, of incorporation of the said borough of Ashland, as refers to the time, and manner, of electing borough officers, is hereby repealed.

SECT ON 9. That any provision of the charter of incorporation of the said borough of Ashland, hereby altered, or supplied, be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 277.

## An Act

For the relief of William Thompson.

WHEREAS, William Thompson, of Pottsville, county of Schuylkill, late broker and private banker, did, by reason of entering the military service of the United States, neglect to make the returns to the auditor general, required by section first and second of an act relating to brokers and private bankers, passed May the sixteenth, one thousand eight hundred and sixty-one, and did thereby subject himself to the penalties imposed by the third section of said act; now, therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the penalties to which the said William Thompson has made himself subject, by reason of his neglect to make the returns for the year ending November the thirtieth, Anno Domini one thousand eight hundred and sixty-one, as required by the first and second sections of an act relating to brokers, and private bankers, passed May the sixteenth, one thousand eight hundred and sixty-one, are hereby remitted, upon complying, within sixty days from the passage of this act, with the provisions of the said sections of the said act, relating to brokers, and private bankers, and, upon the payment of the interest on

the amount due the commonwealth, together with all costs that may have accrued on any legal proceedings instituted to recover the penalties imposed by the said act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 278.

## An Act

Declaring Phoenix run and Long run, tributaries of Pine creek, public highways.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Phoenix run, and Long run, each emptying into Pine creek, in the township of Gaines, in the county of Tioga, are each hereby declared a public highway, for the distance of eight miles up each, from its mouth; and any person, or persons, interested in the navigation of said stream, or streams, may improve the navigation of each, or either, by clearing out both, or either, and by putting in such dam, or dams, as may be necessary, for floating logs, and other purposes of navigation.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 279.

*An Act*

To extend the act, entitled "An Act to amend the fee bill as to justices of the peace, in the counties of Erie and Crawford," to Montgomery county, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to amend the fee bill, as to justices of the peace, in the counties of Erie and Crawford," approved the eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three, be, and the same is hereby, extended to the county of Montgomery, to take effect from, and after, the passage of this act. Certain provisions extended to Montgomery county.

SECTION 2. That where, by existing laws, any proceeding, or hearing, is required to be had, before two justices of the peace, of said county of Montgomery, it shall be lawful for any one justice of the peace to act in such proceeding, or hearing, as fully, and effectually, as said two justices might, or could do. One justice may act in certain proceedings.

SECTION 3. That all acts, or parts of acts, inconsistent herewith, are hereby repealed. Repeal.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 280.

*An Act*

For the relief of Richard Waters, a soldier of the war of eighteen hundred and twelve.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized, and required, to pay to Richard Waters, of Lancaster county, a

## LAWS OF PENNSYLVANIA,

soldier of the war of eighteen hundred and twelve, forty dollars immediately, as a gratuity, and an annuity of forty dollars, during life, payable half yearly, commencing the twenty-fifth day of January, one thousand eight hundred and sixty-four.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 281.

## An Act

Relative to recording inventories of appraisements of decedents' estates of York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the provisions of an act, relative to recording inventories of appraisements of decedents' estates, of Lancaster county, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, be, and the same are hereby, extended to the county of York.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 282.

## An Act

Relative to the sale of Unseated and Seated Lands for taxes, in the county of Columbia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all public sales of unseated, or seated lands, hereafter to be made by the treasurers, or commissioners, of the county of Columbia, in pursuance of any of the laws of this commonwealth, the rule of *caveat emptor* shall apply, and neither said treasurers, nor said commissioners, shall be required to refund the purchase money, costs, or taxes, paid upon any tract, or tracts, of land, so sold, as aforesaid.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 283.

## An Act

Allowing the appointment of an additional Notary Public in Bucks and Tioga counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to those now provided for by law, the governor be authorized to appoint a notary public for Bucks county, who shall reside in Newtown borough, in said county;

## LAWS OF PENNSYLVANIA,

and to appoint one additional notary public, in the county of Tioga.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 284.

## An Act

To protect the Schuylkill navigation from obstructions, caused by improper deposits of coal dirt, and other refuse of coal mining operations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Prohibition.

That it shall be unlawful for any person to throw any coal dirt, coal dust, earth, sand, or other refuse of coal mining operations, into any stream flowing directly, or indirectly, into any of the pools, or canals, of the Schuylkill navigation, or to deposit any such material upon the margins of such streams, within the reach of freshets therein, under a penalty of five dollars, with costs of prosecution, for each, and every, offence, to be sued for, and recovered, before any justice of the peace, in the county in which the offence was committed.

Penalty.

To be collected for the use of the poor.

SECTION 2. That the said penalty shall be collected for the use of the poor of the county of Schuylkill, and be paid over, by the said justices of the peace, to the county treasurer of the said county; and the inhabitants of the said county shall be competent witnesses, in all cases of prosecution, for such penalties: *Provided*, That no person shall be convicted for any offence, against this act, unless the prosecution be commenced within sixty days after the offence was committed; and that nothing, in this act contained, shall be construed to interfere with any legal remedy, whatsoever, for injuries occasioned by any offence against the provisions thereof.

Witnesses.

When prosecution to be commenced, &c.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 285.

*An Act*

Relating to the Philadelphia Society for the establishment and support of Charity Schools.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Philadelphia Society for the establishment and support of Charity Schools, to borrow such sum, or sums, of money, at such time, or times, as they may deem expedient for the improvement of their property, or the extensions of their school buildings; and to secure the re-payment thereof, to mortgage any part of the real estate of the said society: *Provided,* That the board of managers shall have first approved of such action.

Authorized to borrow money.  
May mortgage property.  
Proviso.

SECTION 2. That the said society, at any of its stated meetings, may ordain, and establish, the number of members that shall constitute its board of managers; and that so much of any law of this commonwealth, as conflicts with the provisions hereof, be and the same are hereby repealed: *Provided,* That it shall be approved of by three-fourths of the members present, voting, and shall have been proposed at a previous stated meeting of the society.

Number of managers, relative to.  
Repeal.  
Proviso.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 286.

*An Act*

To incorporate the Littlestown and Pennsylvania Line Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That David Guldin, John Byers, Wattson Barr, Daniel Mehring, Josiah Baumgartner, Conrad Shue, John Mehring, Ephraim

Commissioners.

Name.	Myers, George Stonecipher, Edmund F. Shorb, William Kuhns and Joseph Barker, or any four of them, be and are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, by the name, style, and title, of the Littlestown and Pennsylvania Line Turnpike company, with power to construct turnpikes from Littlestown, in Adams county, to points on the Pennsylvania state line, where the roads leading from said town, to Taneytown, in Carroll county, Maryland, and the road leading from said town, to Emmittsburg, in Frederick county, Maryland, pass said Pennsylvania state line, subject to all the provisions, and restrictions, of an act, entitled "An Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as they are hereby altered or supplied.
Route.	
Subject to.	
Capital stock.	SECTION 2. That the capital stock, of said company, shall consist of one thousand shares, of fifty dollars each share: <i>Provided</i> , That said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much, as, in their opinion, may be necessary to complete the said road, and carry out the true intent and meaning of this act.
Proviso.	
Authorized to use streets, and other roads.	SECTION 3. That it shall be lawful, for the said company, to use the whole, or any part, of any public street, or road, and locate said turnpikes, upon the ground occupied by any public street, or road; and the courts of quarter sessions, of the county in which the said turnpike is located, shall appoint viewers, to view, and vacate, such parts of any public road, as shall be used, or rendered unnecessary, by the construction of the said company's road, as is provided by the general road laws of this commonwealth, in the cases of roads which have become useless.
Appointment of viewers to vacate parts of roads.	
Rates of toll.	SECTION 4. That the president, and managers, of said company shall have power to establish, and regulate, rates of tolls, not exceeding double the rates established by the acts hereinbefore mentioned, and to erect toll gates, and collect tolls, whenever one mile of said turnpike shall have been completed.
May borrow money.	SECTION 5. That the said company shall have power to borrow money, at any rate of interest, not exceeding seven per centum per annum, for the purpose of completing their road, and issue bonds therefor, and secure the same by mortgage of their road and franchises.
Repeal.	SECTION 6. That all acts, or parts of acts, inconsistent with the provisions of this act, be and the same are repealed, so far as they refer to this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 287.

**An Act**

To repeal the special road law in Toboyne township, Perry county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act, relating to roads, in Toboyne township, Perry county, approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one, be, and the same is hereby, repealed, and the general road law of the state be continued in said township.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 288.

**An Act**

To incorporate the Fairview Cemetery Association of Fairview township, Erie county, Pennsylvania.

WHEREAS, Certain citizens of this commonwealth, hereinafter named, have associated together for the purpose of establishing a cemetery, in the vicinity of the village of Fairview, in the county of Erie, as a place of burial for the township, and vicinity, of Fairview, and have purchased, of Joseph Killheifer, about fifteen acres of land lying near said Fairview village, and have laid out a portion of said fifteen acres of land in burial lots, squares, and avenues, and have partially embellished, and improved, the same; therefore, Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* Samuel Brecht, A. J. Caughey, Presley M'Creary, W. W. Eaton, Francis Caughey, Johnston Eaton, S. C. Sturgeon, Daniel Mellhorn, Moses Barnett, J. V. Chapman, Isaac Eaton, Corporators.

	Jacob Fiesler, Rudolph Petit, R. M. Sturgeon, Andrew
Title.	geon, and their successors, and all persons who now are, or who may hereafter be, associated with them, be and they are hereby created, and erected into, a body politic, and corporate, in deed, and in law, by the name, and style of, and title, of the Fairview Cemetery Association, of Fairview township, and by that name, shall have perpetual succession, and be able to sue, and be sued, in any court of law, or equity, and may have, and use, a common seal, and the same, at their pleasure, to alter or renew, and shall have power to purchase, have, hold, and enjoy, to them, and their successors, and all who shall be associated with them, all such lands as the said Joseph Killheifer hath conveyed to said company, with such other real estate, as they may require, for the purpose of establishing said cemetery : <i>Provided</i> , That the whole quantity of real estate, to be held by them, as a corporation, shall not exceed twenty acres of land ; and the said corporation shall have authority to receive gifts, or bequests, for the purpose of ornamenting, or improving, said cemetery, and to hold such personal property as may be necessary, to carry out the object of this act.
Privileges.	
Real estate.	
Proviso.	
Election of officers.	SECTION 2. That the affairs of said corporation shall be conducted by a president, and four managers, who shall be elected by a majority of the votes, of the members of the corporation, on the first Monday of October, of each and every year ; and in case no election shall be held, at the time aforesaid, the officers, of the preceding year, shall continue in office until an election shall be held, and each member shall be entitled to one vote only ; and it shall be the duty of the corporation, to fill all vacancies, that may occur in their number, from among the lot-holders in the cemetery, being citizens of the county.
Votes.	
Vacancies.	
Powers and duties of president and managers.	SECTION 3. The president, and managers, shall fill all vacancies, which may occur in their own body, and shall have power to lay out, and ornament, the grounds, purchased for said cemetery, to erect such buildings, thereon, as may be necessary for the enjoyment of the same, to lay out, sell, and dispose of burial lots, to appoint all necessary officers, and fix their several duties, and compensation, and to make such by-laws, rules, and regulations, as they may deem proper, for conducting the affairs of the corporation, for the government of lot-holders, and visitors to the cemetery, and for the transfer of lots, and the evidence thereof.
By-laws.	
Opening of streets, or roads, relative to.	SECTION 4. That no streets, or roads, shall hereafter be opened, through the lands of said corporation, except by and with the consent of the said company ; and that any person, who shall wilfully destroy, mutilate, deface, injure, or remove any tomb, monument, grave-stone, or other structure, placed in the cemetery aforesaid, or any fence, railing, or other work, for the protection, and ornament, of said cemetery, or shall wilfully destroy, cut, break, or remove, any tree, shrub, or plant, within the limits of said cemetery, or shall shoot, or discharge, any gun, or other fire-arms, within the limits thereof, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, before any justice of the peace, of the county of Erie, be punished by a fine, at the discretion of the justice, according to the aggravation of the offence, of not less than
Penalties for injuries to tombs, &c.	

five, nor more than fifty, dollars, or shall, on conviction thereof, in the court of quarter sessions of said county, be punished by fine, as aforesaid, and by imprisonment, according to the aggravation of the offence, at the discretion of the court.

SECTION 5. That every lot, conveyed in said cemetery, shall be held by the proprietor, for the purpose of sepulture alone, transferable with the consent of the president and managers, and shall not be subject to attachment, or execution; and all the grounds, held by the company, hereby incorporated, and actually enclosed, laid out, and used for burial purposes, shall be exempt from all taxation, while so used for purposes of sepulture.

*Lots transferable, and not subject to attachment.*  
*Exempt from taxation.*

SECTION 6. That the corporators, thus created, shall derive no personal, or pecuniary, advantage, or profit thereby, and shall not receive any pay, or compensation, for the performance of any duties, that shall devolve upon them as such; the board of managers shall not be entitled to receive any pay, or compensation as such; the whole proceeds of the sale of lots, and other income, are hereby declared, and directed, to be appropriated to cemetery purposes alone, and to such outlays and expenditures as are incident thereto.

*Corporators, and managers, not to receive compensation, &c.*  
*Income, how to be appropriated*

SECTION 7. That it shall be the duty of the corporation, at the end of five years, from the passage of this act, and forever thereafter, to set apart, at least ten per cent. of the purchase money, received from the sale of lots, and to invest the same in ground rents, or mortgages, as a permanent and perpetual fund, the income of which is to be devoted to the perpetual maintenance of the cemetery. Any failure, in the duties enjoined by this act, shall subject the corporators, and managers, to the control of competent judicial authority for correction.

*Permanent fund to be created.*  
*How to be invested, &c.*

SECTION 8. That until an election of officers shall be held, under the provisions of this act, the persons elected by the company, as managers, shall continue as such, until an election shall be held for electing such board, on the first Monday in October, eighteen hundred and sixty-four; and all business that they have transacted, such as the purchase of land, and sale of lots to individuals, is hereby declared legal.

*Managers to act until election.*  
*Their acts legalized.*

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 289.

**An Act**

To incorporate the Caledonian Club of Philadelphia.

	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same</i>
Corporators.	That William Smith, William W. Smith, Duncan Wright, William Snodgrass, Samuel Wilkie, William Robb, John Shedder, Alexander Robb, William L. Hogg, and George J. Watt, all citizens of the United States, and of the state of Pennsylvania, and such other persons as are, or may be, hereafter, associated with them, and their successors, be, and are, hereby created, and declared, a body politic, and corporate, in deed and in law, under the name, style, and title, of the Caledonian Club of Philadelphia; to have perpetual succession;
Name.	
Privileges.	to have power to take, hold, and dispose of, all manner of property, real and personal, the clear, yearly, income of which shall not exceed two thousand dollars; to plead, and be impleaded; to sue, and be sued, in all courts of record in this commonwealth, or elsewhere; to contract, and be contracted, with; to have, and use, a common seal, and to alter, destroy, and renew, the same, at pleasure; and to do all other acts, and enjoy all other powers, incident to corporations, in general, under the laws of this commonwealth.
Seal.	
Objects.	SECTION 2 The object of this corporation shall be the preservation of the athletic exercises, in connection with the literature, and customs, of Scotland; the establishment, and maintenance, of a library, and literary exercises, lectures, and the judicious appropriation, to benevolent purposes, of the surplus funds, and of subscriptions for charitable purposes.
Officers.	SECTION 3. The officers of the said corporation shall be such as the said corporation may deem necessary, who shall be elected, at such times and places, and in such manner, as the by-laws of said corporation may direct.
By-laws.	SECTION 4. The said corporation shall have power, and authority, to make such by-laws, rules, and regulations, as shall be necessary for the government, and promotion of the welfare, of said corporation, and for the objects above specified: <i>Provided</i> , That no by-law, rule, or regulation, as aforesaid, shall be valid, if inconsistent with the constitution, or laws, of this state, or of the United States: <i>And provided further</i> , That no such by-law shall be altered, or amended, except at a stated meeting, duly convened, and by a vote of two-thirds of the members present.
Proviso.	
Proviso.	
Membership.	SECTION 5. Any person of unexceptionable moral character, complying with the requisition of the by-laws, shall be eligible to membership, and shall be elected, as provided by the by-laws.

SECTION 6. Stated meetings shall be held, on the first Thursday of each month, and special meetings, on the written request of seven members; and nine members shall constitute a quorum, for the transaction of any business; notice of special meetings shall be published, two days previous, in two public newspapers, in the city of Philadelphia. Meetings.  
Quorum.

SECTION 7. The present officers of this association, William Smith, president; William W. Smith, treasurer; Duncan Wright, recording secretary; and William Snodgrass, Samuel Wilkie, William Robb, John Shedder, William B. Smith, Alexander Robb, William L. Hogg, and George J. Watt, trustees, shall remain in office until the next annual election. Present officers  
to continue un-  
til election.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 290.

## An Act

To authorize Louis Prætorius, guardian of Marion E. Garrison, William D. Garrison, Horace L. Garrison and Enoch W. Garrison, minor children of Nathan Garrison, late of Shickshinny, Luzerne county, Pennsylvania, deceased, or any guardian that may hereafter be appointed for said minor children, or either of them, to sell certain real estate.

WHEREAS, George W. Search, Lot Search, Nathan B. Cary, and the said Nathan Garrison, were the owners of a certain tract of land, in Luzerne county, on a portion of which, they laid out the present village of Shickshinny, and sold, under contracts, a large number of lots, on which, small amounts of purchase money are still due, and other lots are in demand, by persons, wishing to build upon, and improve the same:

And whereas, The expense of proving the contracts, for lots sold, would, in many cases, exceed the purchase money remaining thereon, to the estate of said Nathan Garrison, deceased, and the expense, of procuring orders of sale of lots, would absorb the greater part of the purchase money, that would come to said minors, under sales thereof, and the improvement and growth, of said village, are thereby greatly re-

tarded, and the interest of the said minors, and of the other owners of said property, are greatly injured :

*And whereas,* The other owners of the said property, competent to sell, are willing, and anxious, to dispose of their respective estates therein, as they deem advantageous ; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Louis Prætorius, guardian of the estates of Marion E. Garrison, William D. Garrison, Horace L. Garrison, and Enoch W. Garrison, minor children of Nathan Garrison, late of Luzerne county, deceased, or any guardian that may hereafter be appointed for said minor children, or either of them, be and is hereby authorized, and empowered, to sell and dispose of, from time to time, at public, or private, sale, in such parcels, and upon such terms, as he, or any guardian hereafter appointed, may think proper, all the estate, right, title, and interest, of the said minors, or either of them, in any lands, tenements, and hereditaments, situate in the county of Luzerne, in the state of Pennsylvania, in which, said minors have an undivided interest, for such price, or prices, as the other owners of the said real estate, shall sell at, and to join, with the other parties, owning the remaining undivided interest in the same, in the execution, acknowledgment, and delivery, to the purchaser, or purchasers, of good and sufficient deeds of conveyance, in fee simple, for the same ; and all such deed, or deeds, of conveyance, shall be good and effectual, to pass the respective estate, or any part thereof, of the said minors, or either of them, to the purchaser, or purchasers, in law, equity, or otherwise, as fully, and completely, and with the same effect, as if the said sale, or sales, and conveyances, had been made under orders of the orphans' court of the said county, made agreeably to the laws of the commonwealth of Pennsylvania, providing for the sale of the real estate of minors ; and also, to join in like deeds, with said owners, and with the administratrix, or administrator, of the estate of the said Nathan Garrison, deceased, for such parts of the said lands, as were sold under contracts, written, or verbal, by said decedent ; and the said deeds, so made by the said guardian, administratrix, or administrator, and the other owners of said land, so heretofore contracted to be sold, shall be, and hereby are declared to be, good, and effectual, to vest the entire estate, thereby conveyed, in fee simple, in the purchaser, or purchasers, as fully, and completely, as if the same were made by the administratrix, or administrator, of the estate of said decedent, in pursuance of proceedings for the proof of such contracts, in the courts of said county, and the decree of said courts : *Provided,* That before entering upon the execution of the powers hereby granted, the said guardian, or in case of his removal, or death, any guardian, that may hereafter be appointed, shall give such security, in such amount, as the orphans' court, for the said county of Luzerne, shall deem sufficient, to insure the faithful application of the por-

tion of the purchase money, belonging to the said minors, which may accrue from the said sales.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 291.

## An Act

To empower the trustees of the Saint John Street Methodist Episcopal church, in the city and county of Philadelphia, to sell certain real estate.

WHEREAS, The burial ground of the Saint John Street Methodist Episcopal church, in the city, and county, of Philadelphia, situate in the Thirteenth ward, of said city, has been rendered unsuited, for the purpose, for which it was designed, by the opening of Franklin street, from Parish street, to Poplar street, through the said ground: Preamble.

*And whereas*, Portions of said ground, remaining on the east, and west, side of said Franklin street, have long ceased to be used, for burial purposes, and but few interments have ever been made therein:

*And whereas*, The said church have established a new cemetery, for burial purposes, at Rising Sun village, in the said city; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the trustees of the Saint John Street Methodist Episcopal church, in the city, and county, of Philadelphia, and their successors, be, and they are hereby, authorized, under the corporate seal of the said corporation, from time to time, to sell, and convey, in fee simple, upon payment of a certain sum, or sums, of money, or reserving a perpetual rent charge, subject to extinguishment, upon payment of a certain sum of money, any part, or the whole of the parts, or portions, of the burial ground, of the said church, situate on the east, and west, side of Franklin street, between Parish street, and Poplar street, in the said city of Philadelphia; and the said trustees, of the said, the Saint John's Methodist Episcopal church, in the city of Philadelphia, and their successors, shall have power by, and

Trustees authorized to sell certain real estate.

Proviso.

with, the consent of a majority of the congregation, of said church, in case of the said trustees disposing of the said above described ground, or any part thereof, on an annual rent charge, to convey the said rent, or rents, in fee simple, and to receive the payment, according to such conveyance, and release, and extinguish, the said rent, or rents; and no purchaser, or purchasers, of either the lands, or of the rent, or rents, shall be bound to see to the application of the said money, whether in purchase, or in extinguishment, as aforesaid: *Provided, That,* before the sale of the said parts, or portions, of said burial ground, or any part thereof, the dead interred in such part, or portion, thereof, proposed to be sold, and not removed, by the lot-holder, or his legal representative, shall be removed therefrom, and re-interred, at the expense of said congregation, at the cemetery of the said congregation, at Rising Sun village, in said city, and the tomb-stones, belonging to such remains, shall be set over the same.

Payment of lot-holders, relative to.

SECTION 2. That the said, the Saint John's Street Methodist Episcopal church, in the city, and county, of Philadelphia, shall pay to such lot-holders, or their lawful representatives, who remove the remains of the dead, interred in such lot, or lots, to any other cemetery, or burial ground, at their own proper cost, and expense, for such removal, and interment, and to such lot-holders, or their lawful representatives, who hold lot, or lots, in said burial ground, in which, no interments have been made, a sum which shall be equal to the price paid by such lot-holders, to the said church, for said lot, or lots, with lawful interest, on the same, to the day of the approval of this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No 292

## A Supplement

To an act to incorporate the Bethlehem Railroad Company, approved May first, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*



That the Bethlehem railroad company may extend their road, so as to connect with the Delaware, Lackawanna, and Western railroad, at any point in Monroe, or Northampton counties, and shall have the power to connect with the said railroad, and may, by a vote of the majority of their stockholders, increase their capital stock; to such amount as may be deemed necessary, not exceeding one million of dollars; and may, also, increase the amount of their bonds to any sum, not exceeding one million of dollars.

Authorized to extend their road, and connect with certain.

May increase capital, and bonds.

SECTION 2. That the preferred stock, authorized to be issued by the said Bethlehem railroad company, is hereby increased to fifty thousand dollars, and the limit to the amount of dividend thereon is hereby repealed; and the directors may contract with the purchasers of such preferred stock, for such dividend, as may be agreed upon, or the directors may pledge, or, appropriate, the whole, or any portion, of the tolls, receipts, or tonnage, of any part, or section, of the road, or other property of said company, in lieu of dividends thereon; and any contract, which the said company may make with such preferred stockholders, not inconsistent with the laws of this state, or of the United States, shall be of as full force and effect as if specially authorized in this supplement: *Provided*, That said preferred stockholders shall not be entitled to vote for directors, without the consent of the common stockholders, or a majority of them.

Preferred stock increased.

Dividends thereon, relative to.

Contracts with preferred stockholders.

Proviso.

SECTION 3. That the time for the election of directors, of said company, is hereby changed to the second Monday of January of each and every year hereafter; and the present directors shall continue in office until that time, and until their successors are elected.

Time for election of directors changed.

SECTION 4. That the said company may divide their road in two divisions; that portion from Bethlehem to Chapman, constituting the southern division, and that from Chapman to Stroudsburg, the Northern division; and may make such arrangements concerning the earnings of each division, as the stockholders may agree upon; and the said company shall have the same time to complete the proposed extension, as they had for the road first authorized, and may, by a vote of the board of directors, change the name of said company, to that of the Lehigh and Lackawanna railroad company.

Road may be divided into divisions, &c.

Time for completion of extension.

Change of name

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 293.

## An Act

To authorize the owners of the town plot of New Philadelphia, in the county of Schuylkill, to convey the same to trustees.

Preamble.

WHEREAS, A portion of the Barlow and Evans tract of land, in Blythe township, Schuylkill county, containing about one hundred and nine acres, has been set off for a town plot, and town lots laid out thereon, and many of them sold, and on which, are erected the built up portions of the town of New Philadelphia :

And whereas, Said town plot is held, and owned, by a large number of persons, as tenants in common, many of whom are minors, and married women, who act through guardians, and trustees, respectively ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Conveyance of town plot to trustees authorized.

That it shall, and may, be competent for all the owners, of said town plot, to unite in a deed of conveyance, of said town plot, and all the lots of land, therein, to two or more persons, as trustees, with power, and authority, in said trustees, to convey any lot, or lots, now, or which may, hereafter, be laid out, or sub-divided, in said town plot, in fee simple, to any purchaser, or purchasers, thereof ; and with authority, and power, in said trustees, to lay out new lots, and sub-divide those already laid out, as they shall deem most advantageous for the owners, aforesaid : *Provided*, That a majority, in number, and interest, of said owners, may fix a minimum price, on said lots, or parts of lots, respectively, below which, said trustees shall not be authorized to sell the same : *And provided further*, That in the deed of conveyance, to said trustees, and all other acts herein authorized, such of the owners as are in their minority, and such as are now represented by trustees, shall act by, and through, their guardians, and trustees, respectively.

Proviso.

Proviso.

Court to fill vacancies occurring among trustees.

SECTION 2. That in case of the death, resignation, or removal, of any of said trustees, to whom, said lots, in said town plot, shall be conveyed, as aforesaid, it shall be competent for the court of common pleas, of Schuylkill county, to fill the vacancy, or vacancies, by new appointments, and to require such security, for the faithful discharge of their duties, respectively, as said court shall determine.

Security to be given.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 294.

## A Further Supplement

To an act to incorporate the city of Harrisburg, in the county of Dauphin, approved the nineteenth day of March, Anno Domini one thousand eight hundred and sixty.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That when any of the streets, or alleys, in the city of Harrisburg, shall have been directed to be opened, graded, and curbed, and the damages assessed, and paid, as provided in the thirty-fifth and thirty-sixth sections of the act to which this is a supplement, the common council may provide, from time to time, for the grading of the whole, or any part, of said streets, or alleys, as the same may be rendered necessary by the progress of improvements, along the route of said streets, or alleys, or warranted by the condition of the finances of the city.

Council to provide for grading of streets, or alleys, directed to be opened, &c.

**SECTION 2.** That Cotton alley, in the Fourth ward of the city of Harrisburg, and Cumberland street, between the Pennsylvania railroad and Eighth street, in the Sixth ward of the city of Harrisburg, be, and the same are hereby vacated; and Verbeke street, in the Sixth ward of the city of Harrisburg, be, and the same is hereby extended from Front street to low water mark, on the Susquehanna river; and said Verbeke street, between Sixth and Seventh streets, shall be of the width of seventy feet, instead of eighty feet, as at present laid out; and the turnpike formerly part of Second street, in the Fifth ward, between North street and Herr street, is hereby declared a public highway.

Cotton alley, and part of Cumberland street, vacated.

Extension of Verbeke street authorized.

Turnpike, between certain streets, declared a highway.

**SECTION 3.** That each ward, in the city of Harrisburg, shall, hereafter, separately elect, and be represented, in the boards of school directors. The First and Second wards shall be equally represented, in the board of school directors, of the first district. The second district shall be represented by two school directors from the Third ward, two from the Fourth ward, one from the Fifth ward, and one from the Sixth ward.

Representation of each ward, in school board, fixed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 295.

**A Supplement**

To an act to consolidate, and fund, the debt of the borough of Scranton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

Duties and powers of commissioners, as to the payment, or conversion, of borough debt.

That the commissioners, named in an act to consolidate, and fund, the debt of the borough of Scranton, approved twenty-second April, one thousand eight hundred and sixty-three, and their successors, be and they are hereby authorized, and required, as soon as they shall ascertain any portion of the debt of said borough, to proceed, and settle, the same, by conversion into the bonds authorized by said act, or by payment from the loan therein authorized; and the said commissioners, and their successors, are further authorized, in the conversion of the bonds heretofore issued by said borough, bearing seven per cent. per annum interest, to issue bonds therefor, at the same rate of interest, per annum, or otherwise equivalent to a seven per cent. loan at par, and the bonds issued by them, for the loan of money, may, at their discretion, be made to bear a rate of interest, not exceeding seven per cent. per annum, or negotiated at six per cent. per annum, and made equivalent to seven per cent.

Provisions of original act to apply to debt, contracted prior to certain time.

SECTION 2. That the provisions of the act, to which this is a supplement, requiring said commissioners to make a loan, and issue bonds therefor, for the payment, or conversion, of the debt of said borough, be and the same are hereby made to apply to the debt, contracted prior to thirty days after this bill shall become a law; at which time the provisions of the tenth and eleventh sections, of said act, shall have full force, and effect, and be observed, without the notice therein required, which is hereby dispensed with.

Certain notice dispensed with.

Bonds, when payable.

SECTION 3. That the bonds, authorized by said act, and this supplement, shall be made payable, in not less than ten, nor more than twenty, years; and so much of the act, to which this is a supplement, as is inconsistent herewith, be and the same is hereby repealed.

Repeal.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 296.

## An Act

To extend the fee bill as to justices of the peace in the counties of Erie and Crawford, approved the eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of assembly, approved March eighteenth, one thousand eight hundred and sixty-three, entitled "An Act to amend the fee bill, as to justices of the peace, in the counties of Erie and Crawford," be and the same are hereby extended to the counties of Jefferson, Berks, Tioga, Bucks and Montgomery, and the aldermen of the city of Philadelphia; and all laws, and parts of laws, inconsistent herewith, are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 297.

## An Act

Relative to the collection of taxes in the township of Jefferson, county of Berks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the collection of state, and county, taxes, in the township of Jefferson, county of Berks, shall be given, and collected by the assessor of said township, who shall receive a compensation of two and one-half per centum, for each and every dollar so collected, and the difference between the commissions, now allowed by law, for the collection of such taxes, and the *pro rata*, hereinbefore provided for the collection of such taxes,

be paid into the common school fund, for the purpose of education in said township; and all acts herewith inconsistent, as far as relates to the collection of said taxes, by the lowest bidder, are hereby repealed: *Provided further*, That this act shall not take effect, until after the first day of July, one thousand eight hundred and sixty-four.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 298.

## An Act

To authorize the road commissioners, of the several townships, and the burgess, and council, of the boroughs of the county of Warren, to levy a tax for the payment of bounties to volunteers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Authorized to  
borrow money.

That the road commissioners of the respective townships, and the burgess, and town councils, of the respective boroughs, in the county of Warren, be and they are hereby authorized, to borrow, at a rate of interest, not exceeding six per cent. per annum a sum of money sufficient to pay, to each person who may enlist in the army of the United States, and to the credit of the several townships, or boroughs, a bounty, not exceeding three hundred dollars.

Special tax to  
be levied.

SECTION 2. That the said road commissioners, and burgess, and councils, be and they are hereby authorized, to levy and collect a special tax upon, and from, all persons, and property, in the respective, townships, and boroughs, liable to county, and township, taxation, a sum sufficient to pay, each person who may enlist in the army of the United States, and to the credit of such township, or borough, a bounty, not exceeding three hundred dollars, and for the purpose of re-paying any moneys loaned under the first section of this act.

May levy a  
special poll tax.

SECTION 3. That said road commissioners, and the burgess, and councils, may, if they deem the same expedient, levy a special poll tax, for the purpose aforesaid, upon all persons liable to draft: *Provided*, Said poll tax shall not exceed the sum of twenty-four dollars, on each of said persons: *And*,

Limitation.

*provided further*, That in all cases when the authorities aforesaid shall have, heretofore, or shall, hereafter, levy a special poll tax, as aforesaid, subject to abatement upon conditions, or terms, prescribed by them, the same is hereby legalized and made valid.

Poll tax heretofore, or hereafter, levied, legalized.

SECTION 4. That said tax shall be assessed and collected in the same manner as township and borough taxes are, by existing laws, assessed and collected, or, as future assessment and collection laws shall direct; and the authorities aforesaid may, if they deem the same expedient, assess and collect the taxes authorized by this act, in annual instalments; but not to extend beyond the term of ten years.

How to be assessed, and collected.

SECTION 5. That the provisions of the preceding sections of this act shall apply only to such volunteers as have, or shall enlist, and have, or shall, be credited, on the quota of the said townships, and boroughs, under the call for volunteers, made by the President of the United States, in October, A. D. one thousand eight hundred and sixty-three, and the calls since made, for volunteers.

To whom bounties to be paid.

SECTION 6. That the road commissioners, of the township of Farmington, Warren county, be and they are hereby authorized, to levy a special township tax, for the purpose of re-funding to persons, who may have subscribed, and paid, or advanced money to pay, bounties to volunteers, from said township, in the fall of the year, A. D. one thousand eight hundred and sixty-two, under two subscriptions, dated, respectively, the ninth day of September, A. D. one thousand eight hundred and sixty-two, and the tenth day of September, A. D. one thousand eight hundred and sixty-two; and that such taxes shall be levied, assessed, and collected, in the same manner as other township taxes are, by law, assessed, levied, and collected; and, the same commissioners may be allowed, for the collection thereof, and, any assessment, heretofore made, for the purpose aforesaid, by said road commissioners, be and the same is hereby validated, and legalized.

Road commissioners of Farmington township authorized to levy special tax.

SECTION 7. That the general bounty law, approved March twenty-fifth, A. D. one thousand eight hundred and sixty-four, be and the same is hereby repealed, so far as relates to the county of Erie.

General bounty act not to apply to Erie county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 299.

**An Act**

Supplementary to the act, incorporating the borough of Saint Clair, in Schuylkill county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of removing any doubts, as to the power of the corporation, of the borough of Saint Clair, in Schuylkill county, to borrow money, for the payment of debts, contracted for the repairs of the streets, and bridges, in the said borough, it is hereby declared that the said, the corporation, of the borough of Saint Clair, may borrow any sum, not exceeding six thousand dollars, for the purpose aforesaid, and issue bonds under their corporate seal, bearing an interest of not more than six per cent. per annum, payable at such times, and for such sums, not less than one hundred dollars each, as the town council, of the said borough, may by ordinance determine.

**SECTION 2.** That hereafter the polls, for the borough of Saint Clair elections, shall be kept open, until seven o'clock in the evening.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 300.

**An Act**

To enable the citizens of Jefferson township, Greene county, to avail themselves of the provisions of an act, entitled, "An Act relating to the payment of bounties to volunteers," approved March twenty-fifth, Anno Domini one thousand eight hundred and sixty-four.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*



That the school directors of Jefferson township, Greene county, be and they are hereby authorized to levy, and collect, a special tax, in accordance with the provisions of the act relating to the payment of bounties to volunteers, approved March twenty-fifth, one thousand eight hundred and sixty-four, for the relief of the citizens, of said township, from their indebtedness, incurred in raising funds, to procure volunteers, and pay bounties to the same, to fill the quota of said township, under the late calls of the President for men; and also, for the re-imbursement of such citizens, of said township, who have contributed of their own funds, for the said purpose.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 301.

## An Act

To prevent horses, mules, cattle, sheep and swine, from running at large in the county of Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from, and after, the first day of July next, all horses, mules, cattle, sheep and swine, belonging to farmers, or other persons, found running at large, or upon the public roads, or highways, in the county of Bradford, shall be considered in character of strays, and may be taken up as such, by any person, and shall, and may, be disposed of, under existing laws of this commonwealth, relating to strays, if such person shall see proper to prosecute the same.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 302.

**An Act**

Relating to the borough of West Chester, in the county of Chester.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

**Corporate name** That the corporate name of the said borough shall hereafter be the borough of West Chester.

**Authorized to borrow money.** **SECTION 2.** The said borough may, at any time, borrow money, for the purpose of redeeming any loans falling due; and all loans heretofore made, to the said borough, for that purpose, are hereby validated.

**Side walks to be paved, &c., by owners of lots.** **SECTION 3.** The said borough may require, and direct, the grading, curbing, paving, cleaning, and repairing, of the side or foot-walks, by the owners of the lots of ground respectively fronting thereon, in accordance with the general regulations prescribed.

**Upon failure of owners to comply, work to be done, and costs collected, by borough.** **SECTION 4.** They may cause the same to be done, on failure of the owners thereof, within the time prescribed by the regulations, and collect the cost of the work, and materials, with twenty per centum advance thereon, and costs of suit, from said owners, either by suit, or as claims are, by law, recoverable, under the provisions of the law relative to mechanics' liens; and the particulars of such labor and materials, the name of the actual, or reputed, owner, and of the occupier of the premises for the time being, shall be set forth, in a statement, to be filed in the prothonotary's office of said county, within thirty days after such expense shall have been incurred.

**Recovery of liens filed.** **SECTION 5.** That like proceedings may be had, for the recovery of any lien already filed.

**Borough, and school, taxes to be liens, &c.** **SECTION 6.** That all borough, and school, taxes, hereafter assessed on unimproved real estate, in said borough, shall be a lien thereon, prior to all other liens, until paid.

**Statement of unpaid taxes, &c., to be filed.** **SECTION 7.** The said borough, and the school directors thereof, may file, in the office of the prothonotary of the court of common pleas of Chester county, their respective claims for taxes, stating therein the name of the person assessed, the amount due, and a brief description of the property, upon which the same is a lien; and the fee of the prothonotary, for filing and docketing the same, shall be twenty-five cents.

**Collection.** **SECTION 8.** The said liens, with the costs of entry, and other proceedings, shall be collected, as is provided in the fourth section of this act; all unpaid borough, and school, taxes, shall be paid out of the proceeds of sale of the said real estate, made under any lien, filed as aforesaid.

**Taxes to be paid from proceeds of sales.** **SECTION 9.** The owner may redeem any land, so sold for taxes, within one year from the acknowledgment of the sheriff's deed, upon payment of all costs and charges, and

**Owners may redeem lands.**

Twenty per centum upon the amount, for which the property sold, to the borough treasurer, for the use of the purchaser.

SECTION 10. That nothing, in this act, shall be construed to Construction, impair the ordinary remedy, for the collection of borough and school taxes.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 303.

## An Act

To attach Erie and Crawford counties to the Western district of the Supreme Court.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "An Act to attach Erie and Crawford counties to the Eastern district of the supreme court," approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-two, is hereby repealed; and all writs, issued to the said counties, and not yet disposed of, shall be returnable to the Western district, the same as if originally issued therefrom.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 304.

**An Act**

To authorize the sale of certain real estate in the city of Philadelphia.

**Preamble.**

WHEREAS, On the twentieth day of August, one thousand eight hundred and sixty-three, there was conveyed to the master and assistant wardens of the port of Philadelphia, a piece of ground, forty feet in width, or front, upon the road leading to Gloucester Point, and in length, or depth, extending from said road into the Delaware, at low water mark; the southern boundary of said piece of land being distant eight hundred feet, or thereabouts, from the north side of the wharf of Greenwich Point:

*And whereas,* Said land was conveyed, to said wardens, in trust for, and to the use of, the commonwealth of Pennsylvania, for the purpose of erecting a pier, at which, vessels might unload, and load, gunpowder, to be stored in a magazine, then conveniently thereto:

*And whereas,* The location of said magazine, having been changed, no gunpowder has been unloaded, or loaded, upon said pier, for a great number of years, and said pier having become so dilapidated, as to be useless, it is to the interest of all parties, that the same be sold, and the money received, therefrom, be appropriated to the general purposes of the commonwealth of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Sale of powder  
pier authorized.

That the board of wardens, of the port of Philadelphia, shall be, and they are hereby, authorized, and required, to sell, within three months, said powder pier, at public sale, after public notice, in at least two daily newspapers, published in said city, three times a week, for two weeks, and to convey the same, in fee simple, to the purchasers, by a deed, executed under their seal, signed by the master warden, and attested by the clerk, which deed shall vest an absolute title in the purchaser, free, clear, and discharged, from all, and every trust, use, and limitation.

Notice.

Confirmation of  
sale.

SECTION 2. That no sale, of said property, shall be confirmed by said board of wardens, except at a stated meeting, regularly convened, at which, a majority of the members of the board shall be present; and the purchase money, arising from said sale, shall be paid into the state treasury.

Purchase money to be paid  
to state.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 305.

*A Supplement*

To an act, authorizing the laying out of a state road, from Ayr township, in Fulton county, to Warren township, in Franklin county, and relating to the collection of taxes, in Franklin county, passed the twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That so much of the act of assembly, entitled "An act authorizing the laying out of a state road, from Ayr township, in Fulton county, to Warren township, in Franklin county, and relating to the collection of taxes, in Franklin county," passed the twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-three, as provides for the time, and manner, of collecting state, and county, taxes, in the county of Franklin, be and the same is hereby extended to Fulton county.

Certain provisions, relative to collection of taxes, extended to Fulton county.

SECTION 2. That so much, of any law, as requires the commissioners, of said county, of Fulton, to appoint collectors of taxes, and so much, of any law, as is hereby altered, or supplied, is hereby repealed, so far as relates to the county of Fulton.

Appointment of tax collectors, relative to.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 306.

*A Supplement*

To an act to incorporate the Harleysville and Souders turnpike road company, in Montgomery county, approved the fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That as soon as the said company shall construct their turnpike road, from the Allentown road, to Souders station, the same proceedings shall be had thereon, as if they had completed five miles of their said road ; and it shall be lawful, for said company, to collect, and receive, tolls, on the same, and the like proceedings shall be had, thereon, whenever the said company shall complete any additional part of their said road, with power to collect, and receive, tolls, thereon ; and so much of the act, to which this is a supplement, as conflicts herewith, is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred sixty-four.

A. G. CURTIN.

No. 307.

## An Act

For the relief of Henry Bender, late treasurer of York county.

WHEREAS, The mercantile appraiser, of York county, made his return, in March, one thousand eight hundred and sixty-two, and held his appeal, for said year, on the fourth day of April, Anno Domini one thousand eight hundred and sixty-two, before the passage of an act, entitled, "An act amendatory of the license laws of this state," approved, April eleventh, Anno Domini one thousand eight hundred and sixty two :

*And whereas*, Said last mentioned law, was not officially published, until many months thereafter, and the pamphlet laws, for one thousand eight hundred and sixty-two, were not delivered, in York county, until the month of September, of said year :

*And whereas*, In consequence of the above recited facts, Henry Bender, late treasurer of York county, under a misapprehension, of the law, prevailing, believing that the law, of one thousand eight hundred and thirty, governed, in the case of taxes, returned, by the mercantile appraiser, and on which, the appeal had been held, before the passage of the law, of one thousand eight hundred and sixty-two, exonerated many retailers, so returned, from the payment of their respective taxes, in conformity with the law of one thousand eight hundred and thirty, upon their making affidavit, that they were not in business, as returned, on the first day of May, one thou-

sand eight hundred and sixty-two, instead of bringing suit against them, before the eleventh day of July, of that year, as required by the act of one thousand eight hundred and sixty-two; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general, and state treasurer, are hereby authorized, and required, to open, and re-state, the account of Henry Bender, late treasurer of York county, for the year one thousand eight hundred and sixty-two, so far as relates to mercantile taxes; and that said Henry Bender be allowed, by the auditor general, on the re-statement, of said account, the same credits, and exonerations, in his account, for said taxes, for the year one thousand eight hundred and sixty-two, as he would have been entitled to, before the passage of the act, entitled "An Act amendatory of the license laws of this state," approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-two.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 308.

## A Supplement

To an act to provide for the taxation of non-resident venders of merchandize, in the city of Philadelphia, and for other purposes, approved the twelfth day of April, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if any person, not residing within this state, and paying, under the laws thereof, a license, now required by law, shall, within the city and county of Philadelphia, sell, or exhibit for sale, by sample, specimen, card, or otherwise, any goods, wares, or merchandize, for, or on account of, any merchant, manufacturer, or other person, not having his principal place of business within the said state, and not having a license under the laws of this commonwealth, for the sale of such goods, wares,

or merchandize, such person, so offending, shall be guilty of a misdemeanor, and, on conviction, shall be sentenced to an imprisonment, not exceeding thirty days, and to pay a fine, not exceeding three hundred dollars, or both, or either, in the discretion of the court.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 309.

## An Act

Relating to side walks in Allegheny city.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Street commissioner to notify property owners of repairs to be made to side-walks.

Upon failure to comply, work may be done, and cost collected, by commissioner.

Statements filed, to be liens, &c.

That it shall be the duty of the street commissioner, of the city of Allegheny, whenever any part of any side-walk of any street, lane, or alley, or avenue, in said city is, or shall become, out of repair, to give notice to the owner, or owners, of the real estate, fronting the side-walk, so out of repair, or to his agent, or agents, if he, she, or they, have any, or to the occupier, or occupiers, of the same, if there be any, in case the owner, or owners, cannot be found, or is, or are, unknown, to have the said side-walk repaired, or re-paved, under his supervision, or according to his directions, within ten days after such notification; and in case of the default of the owner, or owners, to comply with such notification, it shall be the duty of the street commissioner, to cause such repairing, or re-paving, to be made, at the proper cost, and expense, of the owner, or owners, of the real estate, fronting the side-walk, so repaired, or re-paved; and he shall make demand of the owner, or owners, or of his, her, or their agent, or agents, or of the occupier, or occupiers, of such real estate, where the owner, or owners, cannot be found, or is, or are, unknown, for the payment of the costs, and expenses, of such repairing, or re-paving; and if the same are not paid, he shall, after ten days thereafter, file a statement, thereof, in the district court of Allegheny county, verified by affidavit, which statement shall be entered of record, and shall be conclusive, as to all matters, and things, therein contained; and said costs, and expenses, shall be, and remain, a prior lien upon the real estate



fronting the side-walk so repaired, or re-paved, until the same shall be fully paid, and satisfied; and the same shall be recoverable by writ of *scire facias*, in the name of the commonwealth, for the use of the mayor, aldermen, and citizens, of Allegheny, as debts, secured by mortgage, are now, by law, recoverable.

SECTION 2. The lien of municipal rates, levies, and assessments, of the city of Allegheny, shall not be divested, by any judicial sale, as respects so much thereof, as the proceeds of such sale may be insufficient to discharge, and pay.

Lien of municipal rates, &c., when not discharged by judicial sale.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 310.

*An Act*

Relating to elections in Cornwall township, Lebanon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the qualified voters, of the township of Cornwall, in the county of Lebanon, residing, and being, within the following described limits, to wit: beginning at a black oak tree, on the South Annville and Cornwall township line, on land of Henry Hrisey; thence, north eighty-seven and a half degrees, east three miles, and two hundred and forty-two perches, to a post, on the Cornwall and South Lebanon township line, on land of John Killion, thirty-five and a half feet from the south-west corner of his new barn, shall hereafter hold their general, and township, elections, at the court house, in the borough of Lebanon.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 311.

**An Act**

Relative to conveyances, to the Harmony society, at Economy, in Beaver county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That all conveyances, heretofore made, to the trustees of the Harmony society, at Economy, in Beaver county, or their successors, shall be, and are hereby declared to be, good, and effectual, the same, as if the word, "heirs," instead of "successors," had been inserted therein.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 312.

**A Supplement**

To an act incorporating the borough of Waverly.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the fourth section, of the third division, of an act, approved April third, Anno Domini one thousand eight hundred and fifty-one, entitled "An Act regulating boroughs," requiring the corporate officers, of boroughs, to publish enactments, ordinances, or other general laws, ordered, or passed, by the burgess, and town council, in one newspaper, et cetera, at least ten days before the same takes effect, is, hereby, repealed, so far as relates to the borough of Waverly, Luzerne county; but such notice shall be given, by six written, or

printed, handbills, posted up, in the most public places, within the bounds of said borough.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 313.

## An Act

To incorporate the Lewisburg and Cross road Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Philip Ruhl, Daniel Rangler, William T. Linn, Andrew Jackson Wolfe, George Kephart, Cyrus Hoffa, Jacob Derr, Jonathan Wolfe, Francis Wilson, George Heiser, Martin Rudy, Andrew Jackson Rishel, or any seven of them, be and are hereby appointed commissioners, to open books, receive subscription, and organize a company, by the name, and style, of the Lewisburg and Cross-roads Turnpike Road Company, to construct a turnpike road, commencing at, or near, the Buffalo cross-roads, in Buffalo township, Union county, and terminating at, or near, the junction of Fourth and Saint Anthony's street, in the borough of Lewisburg, in said county, in the bed of the public road, with the privilege of changing so much of the road, as may be deemed necessary to improve, by a change of location, of any part thereof, subject to all the privileges, and restrictions, of an act, entitled "An Act regulating turnpike and plank road companies," approved January twenty-sixth, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as they are hereby altered, and supplied.

SECTION 2. That the capital stock, of said company, shall consist of three thousand shares, of twenty-five dollars each : *Provided,* That said company may, from time to time, by vote of the stockholders, at a meeting called for that purpose, increase their capital stock to such an amount as shall be sufficient to carry out the true intent of this act.

SECTION 3. That the said company shall have power to borrow money, at any rate, not exceeding eight per cent. per annum, for the purpose of completing the road, and issue bonds

therefor, and secure the same by mortgage of their road, and franchises.

Width of road. SECTION 4. That the said turnpike road shall not exceed thirty-three feet in width.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 314.

## An Act

To change the place of holding the elections in Slippery Rock township, in the county of Lawrence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That from, and after, the passage of this act, all general, and special, elections, in Slippery Rock township, in the county of Lawrence, shall be held at the house of Abraham M'Curdy, in the village of Princeton, in said township.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 315.

## An Act

To lay out and mark a State road in Bedford and Cambria counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That Adolphus Ake, and William Griffith, of Bedford county, and Thomas M'Connell, of Cambria county, be and the same are hereby appointed commissioners, to view, and lay out, and mark, a state road, beginning at the town of Marietta, in Union township, Bedford county, and thence, by the nearest, and most practicable, route, to Portage station, on the Pennsylvania Central railroad, in the township of Washington, Cambria county, having special reference to the distance of the route, surface of the country, and cost of construction. Commissioners. Route.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after having been duly sworn, or affirmed, before a justice of the peace, who shall file, and preserve, copies of their oaths or affirmations, in his office, to perform all the duties enjoined by this act, with impartiality, carefully to view the ground, over which the road, to be laid out by them, is to pass, having due regard to a straight and easy road for the public, at an elevation of not more than five degrees, from a horizontal line, and thus, they shall clearly, and distinctly mark the road, in such manner, as shall render the route, agreed upon, readily to be found by the supervisors; and for fulfilling the duties, enjoined upon them by this act, the said commissioners shall be allowed the sum of one dollar and fifty cents per day, for every day they shall be necessarily employed, in performing the duties, assigned them by this act; and the said commissioners are hereby authorized to employ a practical surveyor, at two dollars per day, two chain bearers, and one axe-man, at a sum, not exceeding, for each, one dollar per day. Duties of commissioners. Compensation. Surveyor, chain bearers, &c., pay of.

SECTION 3. The said commissioners shall make out a fair and accurate draft, of the location of the road, noting, thereon, the courses, and distances, and the places, waters, county, and township, lines, with such other matters as may be explanatory, of the route of the road, one copy, whereof, shall be deposited in the office of the secretary of the commonwealth, on, or before, the first day of January next, and one copy, in the offices of the clerks of the court of quarter sessions of the respective counties, through which, the said road may pass, at the time aforesaid, or as much sooner as practicable; and from thenceforth, the said road shall be a public highway, and shall be opened, and repaired, as all other roads, laid out by counties, are made and repaired. Drafts.

SECTION 4. It shall be the duty of said commissioners, to endeavor to procure, from all persons, through whose land Damages, releases for, and assessment of.

said road may be located, releases for all claims, and damages, which might arise, from opening the said road; and in all cases, where a release cannot be obtained, it shall be their duty to assess the damages, and make report thereof, signed by a majority of them, which, with the releases, shall be returned to the courts of quarter sessions, of the several counties, in which such damages may accrue.

Meeting.

Vacancies, how filled.

Expenses of road, how to be paid.

SECTION 5. Said commissioners shall meet, on, or before, the first Monday of May next, or, as soon thereafter, as a majority of them shall agree upon, and complete the location of the said road, as soon as practicable; and if any vacancy occur in this commission, by resignation, or otherwise, it shall be filled by the judges of the court of quarter sessions of the county, in which said person, or persons, so resigning, or otherwise failing to perform the duties, hereinbefore enjoined upon said commissioners, shall have resided.

SECTION 6. The amount required to pay the expenses of the viewing, surveying, and laying out, of this road, as hereinbefore provided, shall be paid, by a warrant, drawn by the commissioners, appointed by this act, on the commissioners of Bedford and Cambria counties, in proportion to the amount of labor done, time spent, and damages accruing, in each county, respectively.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 316.

## An Act

To legalize certain loans made by the borough of Allentown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all loans, made by the burgess, and town council, of the borough of Allentown, in the county of Lehigh, for the purpose of raising money to pay bounties to emergency men, prior to the seventeenth day of October, Anno Domini one thousand eight hundred and sixty-three, and all payments of bounties, to said men, be and the same are hereby legalized, made valid, and binding, upon said corporation, as if full and legal, authority had existed, for the issuing of said loan, and

making of said payments, at the time when they were made, and paid.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 317.

## An Act

To annex Jacob Krotzer, of Penns township, Snyder county, to Jackson township, in the same county, for school purposes.

WHEREAS, The residence of Jacob Krotzer, of Penns township, Snyder county, is two miles distant from the public school house, of his district, and access, to the same, is difficult :

And whereas, School house, number four, of Jackson township, is but half a mile distant, by the public road ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the real estate of Jacob Krotzer, of Penns township, of the county of Snyder, be and the same is hereby annexed to Jackson township, in the same county, for school purposes ; and the said Jacob Krotzer, for such purposes, shall be entitled to all the rights, and privileges, of a citizen of said township ; and that the real estate, of the said Jacob Krotzer, shall, hereafter, be liable to assessment, for school purposes, in the township of Jackson.

SECTION 2. That the said Jacob Krotzer shall have the right, to vote, for school directors, and shall be eligible, to the office of school director, in the township of Jackson.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 318.

**An Act**

For the relief of Catharine Wolf, widow of Adam Wolf, an old soldier of the war of one thousand eight hundred and twelve, and fourteen, for a pension.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the state treasurer be and he is hereby authorized, and directed, to pay to Catharine Wolf, of Seville township, in the county of Perry, the widow of Adam Wolf, an old soldier, or to her order, an annuity of forty dollars, during her natural life, commencing with the first day of January, one thousand eight hundred and sixty-four, and payable half yearly thereafter, on the first days of July and January.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 319.

**An Act**

To authorize the town council of the borough of Chester, in the county of Delaware, to borrow money, and for other purposes.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Authorized to  
borrow money.

Purpose of.

Bonds to be  
issued.

That the town council of the borough of Chester, in the county of Delaware, be and they are hereby authorized to borrow such sum, or sums, of money, not exceeding twenty thousand dollars, (including the present indebtedness of the aforesaid borough,) as they may deem necessary, for the purpose of improving the streets, and highways, of said borough, to issue bonds, and certificates, of indebtedness, in the name of the borough aforesaid, to the purchaser, or purchasers, of said loan,



in sums not less than one hundred dollars each, bearing interest at a rate not exceeding six per cent. per annum, and to make such provision, out of the taxes of said borough, from time to time, as may be necessary to pay the interest upon said loan, or loans, and to redeem the principal thereof, at such times, and in such manner, as may be conformable to the terms, on which the same may be taken.

Payment of.

SECTION 2. That Jacob Smedley, Nicholas F. Walter, and William Eves, of the county of Delaware, aforesaid, be and they are hereby appointed commissioners, a majority of whom have power to act, whose duty it shall be to carefully survey James street, in the said borough of Chester, from the bridge over Chester creek, to the borough line, in the South ward, and ascertain, determine, and mark, the lines, and width, of said street, at different points, between the places before mentioned, and to make a draft thereof, on which, the courses, distances, and width, of said street, shall be plainly laid down; one copy of which draft, together with a report of their proceedings, certified under their hands and seals, shall be filed in the office of the clerk of the court of quarter sessions, of said county of Delaware, and another like copy of said draft, and report, shall be presented to the town council of said borough, for the purpose of being filed among the archives thereof.

Commissioners appointed to survey James street.

Draft thereof to be filed.

SECTION 3. That it shall further be the duty of the said commissioners, or a majority of them, to examine, correct, and revise, a survey of the streets of the borough aforesaid, lately made by direction of the said town council, and make report thereof, under their hands, and seals, as aforesaid, to the said town council, for their approval, or rejection; a copy of which, said corrected and revised survey, if approved, together with the report of said commissioners, shall be filed in the archives of said town council, and another approved copy of said corrected and revised survey, and report, shall be filed in the office of the recorder of deeds, and register of wills, in and for said county.

Commissioners to revise survey of streets.

SECTION 4. That if either of the commissioners, named in this act, shall decline serving, or die, before entering upon, or completing, the duties by this act enjoined, the court of quarter sessions, of the said county of Delaware, is hereby empowered, upon the application of the said town council, to fill the vacancy, or vacancies, thus created; which successor, or successors, so appointed, shall have all the powers, and perform the same duties, pertaining to the original commissioners.

Court to fill vacancies.

SECTION 5. That the commissioners, named in the second section of this act, or their successors, appointed by virtue of the fourth section, before entering upon the duties enjoined herein, shall take, and subscribe, on oath, or affirmation, before a justice of the peace, of said county of Delaware, to perform their said duties with impartiality and fidelity; a copy of which oath, or affirmation, shall be attached to the several reports, heretofore mentioned.

To take oath.

SECTION 6. That the compensation, of each of the said commissioners, shall not exceed three dollars per day, for each and every day actually employed by them, in attending to the duties, by this act imposed; and that all expenses, incurred

Compensation.

## LAWS OF PENNSYLVANIA,

in carrying out the provisions of this act, shall be paid by the town council, of the said borough of Chester.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 320.

## An Act

Authorizing the borough of Lewistown to sell, and transfer, water stock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the burgess, and town council, of the borough of Lewistown, are, hereby, authorized to sell, either at public, or private, sale, the shares of stock, in the Lewistown water company, held by said borough; and the chief burgess, of said borough, is empowered to transfer, to the purchaser, the said stock, on the books of the said company.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 321.

## An Act

Relative to the streets, and alleys, in Catawissa, in Columbia county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That, hereafter, no person, or persons, bodies politic, or corporate, shall be allowed to institute any process, by information, or otherwise, for the purpose of disturbing, or removing, any dwelling house, stable, or building, whatsoever, within the limits of the town of Catawissa, in the county of Columbia, upon the ground, or for the reason, that said dwelling house, stable, or building, stands upon ground heretofore thrown out, and dedicated, to public use, as a street, highway, or alley, but that said occupancy, for such purpose, heretofore taken, and made, is hereby legalized : *Provided however*, That any buildings, dwelling houses, or stables, to be, hereafter, erected, within the limits of said town, shall be outside of the line of such streets, highways, and alleys.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 322.

## An Act

To amend the road laws, in the townships of Manchester, and Buckingham, in the county of Wayne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the first, second, third, fourth, and fifth, sections of the act, approved the fourteenth day of February, one thousand eight hundred and sixty-three, in relation to the road laws in the township of Lenox, in the county of Susquehanna, be and the same are hereby extended to the townships of Manchester, and Buckingham, in the county of Wayne; and the existing road laws, so far as they are supplied by this act, are, hereby, repealed, in the aforesaid townships. Certain provisions extended to.

SECTION 2. That no male, taxable, in the aforesaid townships, in the county of Wayne, shall be assessed, a sum less than one dollar, for road purposes, in any one year. Taxation for road purposes.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 323.

*An Act*

To incorporate the town of Clayville, in Jefferson county, into a borough.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*
- Incorporation.** That the town of Clayville, in Jefferson county, shall be, and the same is hereby, erected into a borough, which shall be called the borough of Clayville, bounded, and limited, as follows:
- Boundaries.** beginning at the Big Mahoning creek, on the line of James U. Gillespie, and James Winslow's land; thence north, along said line, to the land of Stacy B. Williams; thence west, along the line of said Stacy B. Williams, and James U. Gillespie, to the land of Isaac P. Carmolt; thence along the line of said Isaac P. Carmolt, and James U. Gillespie's lands, to the lands of Lewis R. Davis; thence along the line, between the said Lewis R. Davis, and Isaac P. Carmolt's land, to the lands of John K. Coxen, and Samuel Gilhousen, south to the lands of Bennoni Williams; thence along the line, between Williams and Coxen, to the Big Mahoning creek; thence along said creek, to the line between said Bennoni Williams, and Joseph Hotmire; thence south, along said line, to the lands of Isaiah Hopkins; thence along the line, between said Hopkins, and Williams, to the south-west corner of said Hopkins's land; thence along the line, between the said Williams, and Hopkins, east, to the lands of the said James U. Gillespie, and thence along the line of said James U. Gillespie's lands, to the place of beginning, and shall enjoy all the privileges, and be subject to all the limitations, and restrictions, of the general laws of this commonwealth, relating to boroughs.
- Subject to.**
- Place for holding elections.** **SECTION 2.** That the elections, under this act, shall be held at the store-house of James U. Gillespie, in said borough, and shall be regulated, and controlled, and governed, by the laws of this commonwealth, regulating boroughs, except as is otherwise provided by this act.
- First election, when, and by whom, held.** **SECTION 3.** That the first election, under this act, shall be held on the first Monday in June next, by a judge, and two inspectors, to be chosen by the qualified electors, who may be present at the opening of said election; and the inspectors, so chosen, shall each appoint one clerk of said election; and at said election, there shall be elected, one person for burgess, five persons for members of town council, one person for high constable, two persons for justice of the peace, one person for constable, one person for a judge, and two persons for inspectors of the borough elections, one person for assessor, two persons for overseers of the poor, and three persons for borough auditors, one to serve for one year, one to serve for two years, and one to serve for three years; and the subsequent elections, in said borough, shall be held on the first
- Borough officers to be elected.**

Monday, in February, in each year, between the hours of nine A. M., and six o'clock P. M., and the terms of the said officers, and the mode, and manner, of conducting said elections, shall be in accordance with existing laws: *Provided*, That nothing, in this act, shall be construed to deprive any officer, now elected for the township of Young, residing in the said borough, from exercising the duties of his office, until the first Monday in February, one thousand eight hundred and sixty-five.

Annual elections, time, and mode, of holding, &c.

Proviso.

SECTION 4. That the burgess, and town council, of the said borough, shall have power to levy, and collect, taxes, in the said borough, for borough purposes, and expend the same, in accordance with the general laws of this commonwealth, regulating boroughs: *Provided*, That the said burgess, and town council, shall not have the power to assess, upon any lands, outside of the village proper, and within the limits of the said borough, which shall be used for pasture, or farming lands, a greater amount of taxes, than shall be assessed, in the adjoining township of Young, for township purposes.

Council empowered to levy taxes.

Proviso.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 324.

## An Act

To incorporate the Soldiers' Home, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

That Alonzo Potter, Thomas Brainard, Mordecai L. Dawson, Dillwyn Parrish, Adolph Borie, J. Wheaton Smith, Phillips Brooks, Caleb Cope, William D. Lewis, Ellerslie Wallace, John Welsh, Thomas A. Newhall, John M. Whitall, William G. Moorhead, Thomas Tasker, Horace Binney, junior, Charles Gibbons, John K. Findlay, Edward S. Hall, A. Nebinger, Daniel Smith, junior, John Ashhurst, Stephen Colwell, Robert P. King, Henry C. Howell, George Trott, Lindley Smith, Daniel B. Cummins, Richard Newton, William Struthers, Edmund Smith, Edward C. Knight, Wistar Morris, James L. Claghorn, Edmund A. Souder, and all other persons, who, with them,

Corporators.

Title.	shall become contributors, agreeably to the provisions of this act, he and the same are hereby incorporated, into a society, by the name, and title, of the Soldiers' Home, in the city of Philadelphia, and, by that name, shall have perpetual succession, with all the rights, powers, privileges, and incidents, of a corporation, under the laws of this commonwealth, for the purposes, hereinafter mentioned.
Privileges.	
Membership.	SECTION 2. That the members, of the said society, shall consist, only, of such persons who shall, annually, contribute, and pay, the sum of ten dollars, and of such persons, who shall pay fifty dollars, or more, at one time, as a contribution for life, to the purposes of the said society.
Object.	SECTION 3. That the said society may establish one, or more, institutions, for the relief, support, and education, of soldiers, and seamen, who have been honorably discharged, from the service of the United States, and of the children of such soldiers, and seamen, and of such soldiers, and seamen, as may have died, in the said service, under such rules, and regulations, as the said society may, from time to time, establish, not being repugnant to the laws of the United States, or of this state.
Board of managers, election of.	SECTION 4. That the affairs of the institution shall be conducted by a board of managers, to consist of twenty-four contributors, to be elected, annually, by ballot, on the second Monday in May, by the contributors, who, at the time, or before, the election, shall have paid the full amount of their respective contributions: <i>Provided</i> , That the failure to elect, on the day named, shall not dissolve the said corporation, but the election may be held on any subsequent day, and the managers, in office, shall continue, therein, until their successors are chosen; ten days' previous notice shall be given, of every election of managers, by advertisement, in two daily newspapers, published in the city of Philadelphia.
Failure to hold election, relative to.	
Notice to be given.	
Appointment of a visiting committee.	SECTION 5. That the board of managers, at their first stated meeting, held after their election, annually, shall appoint a visiting committee, to consist of not less than twelve gentlemen, of the city of Philadelphia, which, said committee, shall have such power, and authority, and shall be subject to such rules, by-laws, and regulations, as the board of managers shall, from time to time, adopt; and the said committee may, from time to time, make such recommendations, to the board of managers, respecting the internal affairs, and management, of the institution, as they may think necessary, or proper.
Subject to.	
Minors may be apprenticed.	SECTION 6. That any minor, received into the institution, may, by the advice of the visiting committee, and the approval of the orphans' court, of the county of Philadelphia, be bound, or put out, by the board of managers, as an apprentice, to any art, or business, within this commonwealth; but the term, of such apprenticeship, in the case of a male, shall not extend beyond the twenty-first year of his age; and, in case of a female, beyond the eighteenth year of her age.
Limitation.	
Meeting of corporators.	SECTION 7. That the persons named in this act, as corporators, or a majority of them, shall meet, in the city of Philadelphia, at such time, and place, as they may agree upon, and elect a board of managers, to serve until the second Monday

in May, one thousand eight hundred and sixty-five, and until their successors are chosen ; and, upon due notice, that such election has been held, to be filed, in the office of the secretary of the commonwealth, the governor shall issue letters patent, to the corporators, in the usual form, which shall confer, upon the said society, by the name aforesaid, all the rights, powers, privileges, and franchises, granted by this act.

When letters patent to be issued.

SECTION 8. That the said society, by its board of managers, may purchase, and hold, such real estate, as may be required for the purposes hereby authorized, not exceeding, in the whole, two hundred and fifty acres of land ; and may borrow money, on mortgage of the same, or any part thereof, for the purpose of erecting the necessary buildings, and carrying into effect the objects contemplated by this act.

Authorized to purchase real estate.

May borrow money.

SECTION 9. That the said society, by its board of managers, may make all such by-laws, as may be deemed necessary, and proper, for the orderly management of its affairs, and may alter, and change, the same, from time to time : *Provided*, That all such by-laws, and changes thereof, shall be subject to the approval of the contributors.

By-laws.

Proviso.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 325.

## An Act

To incorporate the Lackawanna and Susquehanna Coal and Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That M. L. Everett, Thomas F. Atherton, Abraham Price, and Jesse B. Schooley, of Luzerne county, and C. M. Gere, and G. B. Eldred, of Susquehanna county, and such other persons as shall be associated with them, and their successors, be and the same are hereby erected into a body corporate, and politic, by the name, and style, of the Lackawanna and Susquehanna Coal and Iron Company, and that the capital stock, of said company, shall consist of twenty thousand shares, of one hundred dollars each, with power to increase the same, from time to time, by vote of the stockholders, to an amount not exceeding ten thousand shares.

Corporators.

Name.

Capital stock.

**Board of directors, election of.** SECTION 2. That the affairs of said company shall be managed by a board of seven directors, one of whom shall be the president, who shall be chosen by the stockholders; all elections shall be by ballot, and every share of stock, subscribed, and paid in, shall entitle the holder to one vote.

**Votes.**

**Seal.**

SECTION 3. That this corporation shall have, and use, a common seal, and the same to change, alter, and amend, at pleasure; and by the style, and title, aforesaid, shall be capable, in law, to sue, and be sued, in the several courts of this commonwealth, and may make all needful rules, regulations, and by-laws, for the well ordering of the business, and affairs, of the corporation, so that the same shall not conflict with the laws and constitution of this state, or of the United States.

**By-laws.**

**Authorized to hold lands.**

SECTION 4. That the said corporation may hold, in the counties of Luzerne, and Columbia, lands not exceeding five thousand acres, with power to mortgage, sell, lease, or otherwise dispose of, the same, or any part thereof; and the capital, of said company, may be employed in mining iron ore, making, and manufacturing, iron, mining coal, and limestone, and transporting, and vending, the same, and such other objects as are necessary in the prosecution of said business.

**Privileges.**

**Annual report to be made to secretary of commonwealth.**

SECTION 5. That an annual report shall be made to the secretary of the commonwealth, and verified by the oath, or affirmation, of the president, or secretary, of said company, showing the amount of capital stock of said company, paid in, of the number of acres of land held, the quantity of iron manufactured, and coal mined, for the current year.

**When this act to take effect.**

SECTION 6. That this act shall not take effect until three thousand shares shall be subscribed, and paid in, of which a statement, containing the names of the subscribers, and the amount subscribed by each, verified, by oath, or affirmation, shall be given to the governor, to be filed in the office of the secretary of the commonwealth; whereupon, the governor shall issue letters patent to the corporators.

**Letters patent.**

**May borrow money upon bonds.**

SECTION 7. That said company be and they are hereby authorized to borrow money, to an amount not exceeding one-half the capital stock, upon the bonds of said company, secured by one, or more, mortgages, upon so much of the corporate property, and franchises, as shall be deemed adequate security for the same, whenever the president, and directors, of said company, shall deem the issue of such bonds expedient, for the interest of said corporation: *Provided*, That the rate of interest, on such bonds, shall not exceed seven per cent. per annum, and that no bonds shall be issued for a less sum than one hundred dollars.

**Proviso.**

**Subscriptions to stock, relative to.**

SECTION 8. That subscriptions of stock may be paid, in real and personal estate, appropriate to the business contemplated by this act, at a *bona fide* cash valuation, to be agreed upon by a majority, in interest, of the subscribers, and stockholders.

**Transfers, how to be made.**

SECTION 9. That all transfers of stock, in said company, shall be entered on the stock books thereof, and said books shall, at all times, be open to the inspection of any officer, or stockholder, of said company; said transfers shall be made agreeably to the by-laws, which may be adopted by said company.



SECTION 10. That this corporation shall pay into the treasury Bonus.  
of this commonwealth, a bonus of one-half of one per centum, on  
the capital stock hereby authorized, and on any increase thereof,  
in four equal, annual, instalments, and such taxes on dividends, Tax on divi-  
as is, or may, be provided by law ; and the stockholders, of dends.  
said company, shall be individually liable, for all debts due Individual lia-  
mechanics, workmen, and laborers, employed by said company, bility.  
and for all provisions, and materials, furnished to said company,  
as is provided in the eleventh, twelfth, thirteenth, and four-  
teenth, sections of the act, incorporating the Lackawanna Coal  
and Iron Company, approved the fifth day of April, one thou-  
sand eight hundred and fifty-three.

SECTION 11. That the legislature reserves the right to amend, Reservation.  
alter, or repeal, this act of incorporation, at any time ; in such  
manner, however, as shall do no injustice to the corporators.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one  
thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 326.

## An Act

Relating to Railroad and Canal Companies.

SECTION 1. *Be it enacted by the Senate and House of Represen-  
tatives of the Commonwealth of Pennsylvania in General Assem-  
bly met, and it is hereby enacted by the authority of the same,*  
That it shall, and may, be lawful for any canal company, in-  
corporated by this commonwealth, to enter into any contract,  
or contracts, with any other canal, or railroad, company, with  
reference to the traffic, to be carried on their respective works,  
the proportion thereof, the rates to be paid therefor, and for  
paying a proportion of the expenses, of operating any rail-  
roads, transporting freight, using either of the improvements ;  
and all contracts, heretofore made, with respect to the mat-  
ters, aforesaid, are validated, and confirmed : *Provided how-  
ever,* That nothing, herein contained, shall authorize either of  
the parties, to said contract, to make higher, or greater, charges,  
than are now allowed by law ; nor to affect, in any way, the  
right of companies, individuals, and the public, to use the re-

spective works, and to pursue, without interference, their lawful employments, on the same, respectively, under existing laws.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 327.

## An Act

Relating to the Central Passenger Railway Company.

Preamble.

WHEREAS, By the several acts, relating to, and under which, the Central Passenger Railway Company, of the city of Philadelphia, organized, plank road and turnpike privileges were conferred on the company ;

Relinquish-  
ment of plank  
road, and turn-  
pike, privileges,  
relative to.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That should the board of directors, of said company, by resolution, a copy of which shall be filed in the office of the secretary of the commonwealth, declare it to be the intention of the company, to abandon, or relinquish, their plank road and turnpike privileges, that then, and thereafter, all plank road and turnpike privileges, now vested in the company, shall cease, and determine ; and thereupon, such parts of the plank road, heretofore occupied by the company, and not upon the route of their railroad, shall be taken, and deemed public highways, and be subject to like control, as though originally laid out, and opened, in accordance with the provisions of the general road laws of this commonwealth : *Provided however,* That the said company shall be at liberty to remove any toll houses, or other structures, erected thereon.

Proviso.

Authorized to  
extend their  
road, and build  
branches.

SECTION 2. That the said company be, and they are, hereby authorized, and empowered, to extend their road, by single or double track, from any point, on the line of their road, in a northwardly direction, to any point on the North Pennsylvania railroad, southward of Edge Hill, in Montgomery county, and north of Susquehanna avenue, city of Philadelphia, and to build branches, not exceeding two miles in length, using, for such purposes, such parts of any streets, lanes, or avenues, as may, by them, be deemed expedient, and to connect their road with the North Pennsylvania railroad, the Chestnut Hill

May connect  
with certain  
roads.

railroad, and such other railroads, as now, or hereafter may, cross, or intersect, their present or future road; and the said company shall have, exercise, and enjoy, all, and every, the rights, powers, liberties, privileges, franchises, and immunities, mentioned in the general act, regulating railroad companies, approved the nineteenth day of April, Anno Domini one thousand eight hundred and forty-nine, and conferred upon other railroad companies, by said general act, by an act, approved the eleventh day of February, Anno Domini one thousand eight hundred and fifty-three, and any other general act, relating to railroad companies, now in force, in this commonwealth; and all acts, or parts of acts, conflicting herewith, **are hereby repealed**: *Provided*, That the said Central Passenger Railway Company shall not have the right, to use any portion of any railroad, turnpike, or artificial, road, except, for the purpose of crossing the same, without first obtaining the consent of the company, or parties, owning the same; nor shall the said railroad company have the right to use any other street, than Wayne street, running parallel therewith, between Manheim and Johnson streets, in the late borough of Germantown, in the Twenty-second ward; nor construct any branch road over School lane, Rittenhouse street, Walnut lane, or Tulpehocken street, in said ward, nor on Ninth or Twelfth streets: *Provided further*, That in constructing their road, over any of the streets, of the city of Philadelphia, except Wayne street, the said Central Passenger Railway Company, shall conform to the grade, of said streets, as now, or shall hereafter be, established, by the board of survey, and shall also use such form of rail, on Broad street, south of Turner's lane, as shall be approved by the said board of survey of said city: *And provided also*, That the said Central Passenger Railway Company shall not be authorized to construct any branch of said road, between Manheim and Johnson streets, in the late borough of Germantown, except on Chelton avenue, east of their road, to the Philadelphia, Germantown, and Perkiomen turnpike.

Privileges of  
general acts  
conferred.

Repeal.  
Prohibition.

To conform to  
grade of streets,  
&c.

Proviso.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 328.

*An Act*

Extending so much of the provisions of the act to incorporate the Pennsylvania Railroad Company, approved April thirteenth, one thousand eight hundred and forty-six, as relates to the making of lateral, or branch, railroads, to the Lebanon Valley, and Philadelphia and Reading, Railroad Companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the seventeenth section of the act, approved April thirteenth, one thousand eight hundred and forty-six, entitled "An Act to incorporate the Pennsylvania Railroad Company," as confers the right of making lateral, or branch, railroads, leading from the main line of their railroad, to places, or points, in either of the counties, into, or through, which the said main line may pass, under the provisions, and restrictions, therein mentioned, be and the same is hereby extended, and applied, to the Lebanon Valley, and the Philadelphia and Reading, Railroad Companies.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 329.

*Supplement*

To an act to incorporate the Mount Alto Iron Company, passed ninth April, one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the persons, or either of them, named in the supplement to the act, to incorporate the Mount Alto Iron Company, approved the eighteenth day of March, one thousand eight hundred and sixty-four, to subscribe, as stock,

such real and personal estate, appropriate to the business of said company, and at such a *bona fide* cash valuation, as may be agreed upon by said company; that the said company may increase their capital stock five hundred thousand dollars, and that the same, together with the stock already authorized, shall be divided into shares of twenty-five dollars each.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 330.

## An Act

To incorporate the Juniata Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Richard D. Wood, Samuel Miller, J. Warner Erwin, J. Gillingham Fell, Algernon S. Roberts, Edward Roberts, and their associates, successors, and assigns, be and they are hereby constituted a body corporate, and politic, by the name, style, and title, of the Juniata Improvement Company, and, as such, shall have power to take, and hold, lands in Todd and Carbon townships, Huntingdon county, Wells township, Fulton county, and Broad Top township, Bedford county; and the said company shall have all the powers, privileges, and immunities, and be subject to all the requirements, and liabilities, contained in, and conferred by, an act, entitled “An Act to incorporate the Union Improvement Company,” approved the seventeenth day of March, Anno Domini one thousand eight hundred and fifty-six, and the supplement thereto: *Provided*, That the quantity of land, to be held by said company, at any one time, shall not exceed five thousand acres.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 331.

**An Act**

To incorporate the Hamilton House Hotel company.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That William H. Blumer, Christian Pretz, Boas Hausman, Samuel Lewis, John Y. Bechtel, Charles M. Runk, Joshua Stahler, Levi Line, Samuel M'Hose, William Lilly, George B. Roberts, Charles W. Cooper, William S. Marx, Samuel A. Bridges, Jesse M. Line, John D. Stiles, and their associates, and all persons who are now, or hereafter may be, holders of the stock, hereinafter mentioned, shall be and they are hereby declared, to be constituted a body politic, or corporate, by the style of the Hamilton House Hotel Company, having perpetual succession, capable of suing, and being sued, having a common seal, and the right to have, hold, and take, by conveyance, in fee simple, such real estate as may be necessary, and proper, for the construction of a hotel, on Hamilton street, in the borough of Allentown, with such supplementary buildings, as may be adapted to, and form part of, the general plan, and design thereof; to erect, and hold, said buildings, and supply the same with all needful furniture, for the accommodation, and use, of any parties, who may be desirous of renting, and occupying, the same, for the purposes of a hotel; and the said property, or any part thereof, when, in the opinion of the said corporation, it shall be proper to do so, to sell, and convey, to any person, or persons, who may desire to purchase the same: *Provided however,* That if the said company, or their lessees, with their knowledge, shall, knowingly, permit any intoxication, or gambling, in their said house, the privileges, hereby granted, shall cease, and that the said company shall not, itself, engage in the business of hotel keeping.

Style.

Seal.

Privileges.

Prohibition.

Capital stock.

*SECTION 2.* That the capital stock, of said corporation, shall not exceed one hundred thousand dollars, divided into shares of fifty dollars each, to be held as personal property, and as such, to be transferable, under such regulations, as the corporators shall judge convenient.

Annual meeting of corporators.

*SECTION 3.* That a general meeting, of the corporators, shall be annually held, for the election of seven managers, and the transaction of other business, on the first Monday of May; but if such meeting, or election, shall not then take place, the corporation shall not, for that cause, be dissolved, but such meeting, or election, shall take place as soon thereafter as may be; one week's public notice thereof, being first given, in at least two newspapers, published at Allentown.

Notice.

Election of managers.

*SECTION 4.* That the election of managers shall be by ballot, from among the corporators; and that, in the enactment of by-laws, for the government of the corporation, and its officers,

and in the decision of all questions, whether of election of officers, or disfranchisement of corporators, either because of their delinquency in paying for the amount of stock, by them purchased, of the corporation, or for other causes, and on all questions arising at the meetings of the corporators, the corporators present, either in person, or by proxy, shall, severally, vote once for each share of stock held by them. Votes.

SECTION 5. That the managers shall continue in office, until their successors be elected ; shall elect a president from among themselves ; shall supply vacancies, in their number, whether occasioned by death, resignation, or refusal to act ; and shall have the general, and entire, control of the affairs, and interests, of the company, except so far as may be otherwise provided by the corporators ; five members shall constitute a quorum, at these meetings. Officers.  
Vacancies.  
Quorum.

SECTION 6. That until other officers shall be duly elected, the persons named, in the first section of this act, shall be held to be managers of the corporation, and shall have power, and authority, to act as such ; and at their meetings, seven shall constitute a quorum. Corporators to  
act as managers  
until election.

SECTION 7. That the said corporation shall have authority to let, or lease, as stores, any suitable portions of the hotel building, which may be erected under the authority herein conferred. May lease  
rooms for  
stores.

SECTION 8. That the managers be authorized to issue bonds, with, or without, coupons, to an amount not exceeding two-thirds of the capital stock actually paid in, to be applied towards the purchasing of the site, for the said hotel, and the erection, and furnishing, of the same ; such bonds to be in sums of not less than one hundred dollars, nor for any fractional part of such sum, which shall be secured, by mortgage, to be executed, by the managers, upon the premises, to one, or more, trustees, and made payable, at such times, as may be appointed, with interest, at six per cent. Authorized to  
issue bonds.

SECTION 9. That if the said corporation shall, at any time, hereafter, misuse, or abuse, any of the chartered privileges, hereby granted, the legislature may, at any time, resume all, and singular, the rights, liberties, privileges, and franchises, hereby granted to the said company. Reservation.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 332.

## An Act

To incorporate the Pennsylvania Iron and Manufacturing Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That Samuel G. Merriek, Edmund P. Dwight, Elias G. Cope, William J. Barr, and William H. Chamberlin, their associates, and successors, be and they are hereby created a body politic, and corporate, by the name, style, and title, of the Pennsylvania Iron and Manufacturing Company, by which name, said corporators, and their successors, shall have perpetual succession, and enjoy all the privileges, and franchises, incident to a corporation.

Title.

Capital stock.

**SECTION 2.** That the capital stock of said company shall be five hundred thousand dollars, divided into shares of fifty dollars each, with the privilege to increase the same, from time to time, to an amount not exceeding two millions of dollars; said increase, and all transfers of stock, to be made at such times, and in such manner, as the by-laws, of said company, may prescribe.

Transfers.

Subscriptions,  
how to be paid.

**SECTION 3.** That subscriptions, to the capital stock of the said company, may be paid in real, or personal, estate, appropriate to the business contemplated by this act, at a *bona fide* cash valuation, to be agreed upon by a majority, in interest, of the stockholders; and the said corporation may issue bonds, not exceeding, in amount, one-half the capital, to be secured by mortgage, or otherwise, and sell the same at their market value, notwithstanding it may be less than par; but no bond shall be issued for a less amount than five hundred dollars.

May issue  
bonds.

Authorized to  
hold lands, and  
mineral rights,  
in certain coun-  
ties.

**SECTION 4.** That said corporation shall be able, and capable, in law, to take, receive, and hold, in fee simple, or for any less estate, lands, and mineral rights, with their appurtenances, in Montour, Lycoming, and Luzerne, counties, not exceeding, in the whole, three thousand acres, at any one time, with power to mortgage, sell, lease, or otherwise dispose of, the same, or any part thereof; and the said company shall have the right to prove, and open, mines, to mine, and prepare, coal, iron ore, limestone, fire clay, and other minerals, and to use, and consume, the same, and to manufacture iron, and to market, and dispose of, the same, and to do all such other acts, and things, as may be necessary in the prosecution of said business; and also, to make all such improvements, and erections, as a successful prosecution of said business may require: *Provided*, That nothing, in this act, shall be construed to authorize said company to enter into the business of selling, or transporting, coal: *And provided further*, That the number of acres of land, which said company may hold, in Luzerne county, shall not exceed three hundred acres.

Privileges.

Prohibition.

Limitation.



SECTION 5. That the affairs of said company shall be managed, and conducted, by a board of five directors, one of whom shall be president; they shall be elected by ballot, within one year from the passage of this act, and annually, thereafter, at such times, and places, as the by-laws may prescribe; and if, for any cause, the election of directors shall not take place, at the time fixed, it shall be lawful to elect the same, at any other time, after two weeks' public notice, and in the meantime, and until their successors are duly qualified, the acting directors shall exercise their powers; and in all elections, by the stockholders, each share of stock shall entitle the holder to one vote, in person, or by proxy.

Directors, election of.

Failure to hold election, relative to.

Votes.

SECTION 6. That this corporation shall pay, into the treasury of the commonwealth, a bonus of one-half of one per centum, on the capital stock hereby authorized, or hereafter created, in four equal, annual, instalments, and such other tax as is now, or may hereafter be, imposed by law on corporations; and the stockholders, of said company, shall be individually liable for all debts due mechanics, workmen, and laborers, employed by said company, and for all materials, and provisions, furnished to said company, to be sued for, and collected, as is provided in the twelfth, thirteenth, and fourteenth, sections of the act, incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three.

Bonus.

Tax.

Individual liability.

SECTION 7. That said company shall have authority to enact, and establish, by laws, prescribing the number, and duties, of its officers, the manner of filling vacancies in the board of directors, the amount, and times, of declaring dividends, and all other needful rules, and regulations, not inconsistent with the constitution and laws of this state, or of the United States; that the corporation shall have the authority to hold, and use, a common seal, and the same to change, alter, and amend, at pleasure, and by the style, and title, aforesaid, shall be capable, in law, to sue, and be sued, before any court in this commonwealth.

By-laws.

Seal.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 333.

**A Supplement.**

To the act, entitled "An Act to incorporate the Pottsville Mining and Manufacturing Company."

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

Place for holding annual elections, relative to.

That hereafter, the annual elections, for the board of directors of said company, shall be held, in such place, in the county of Schuylkill, or the city of Philadelphia, as the board of directors thereof shall determine.

Authorized to hold lands in certain township, and borough.  
May take stock in other companies.

**SECTION 2.** That said company may hold, or lease, lands, under the provisions of the act, to which this is a supplement, in the township of New Castle, and in the borough of St. Clair, in addition to the townships already authorized; and may take, and hold, capital stock, in any coal, or improvement, company, on whose lands said company may operate as a lessee, or purchaser of a leasehold interest; and that said company may, by a resolution of its board of directors, reduce the par value of the shares of its stock, to ten dollars each, and increase the number of shares thereof, so that their aggregate par value shall be the same, in amount, as that authorized by the act to which this is a supplement; and that all the rights, of said company, are hereby declared to be preserved, notwithstanding any irregularity in the election, or omission, heretofore, to elect any board of directors for the same.

Par value of shares may be reduced, and number increased.

Irregularities in elections, &c., relative to. Dividends.

**SECTION 3.** That said company may declare quarterly dividends, or oftener, if the board of directors shall so determine, from the net profits of the business of said company.

**HENRY C. JOHNSON,**

Speaker of the House of Representatives.

**JOHN P. PENNEY,**

Speaker of the Senate.

**APPROVED**—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

**A. G. CURTIN,**

No. 334.

**An Act**

To incorporate the Bethlehem South Gas and Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert H. Sayre, John Smylie, Jr., James M'Mahon, William H. Sayre, and E. P. Wilber, their successors, associates, and assigns, are hereby created a body politic, and corporate, by the name, style, and title, of the Bethlehem South Gas and Water Company, and by that name, shall have perpetual succession, and shall, in law, be capable of suing, and being sued, pleading, and being impleaded, in courts of law and equity, and of contracting, and being contracted with, relative to the business of the corporation, and may have a common seal, and the same alter, and renew, at pleasure, and may have power to purchase, and hold, in fee simple, such real estate, as may be necessary for carrying on the business of the said corporation.

SECTION 2. The said company shall have power to provide, erect, and maintain, all works, and machinery, engines, and apparatus, necessary, or proper, for making, raising, and introducing, into the village of Bethlehem South, and the villages adjoining, in Saucon, Salisbury, and Hanover, townships, in the counties of Northampton and Lehigh, a sufficient supply of gas, and pure water, and for that purpose, may provide, erect, and maintain, all proper buildings, cisterns, and reservoirs, for the reception of gas, and water, to be introduced; and for this purpose, they are authorized, and empowered, by themselves, their agents, engineers, and workmen, and with their tools, wagons, carts, and horses, to enter upon such lands, and enclosures, streets, lanes, and alleys, roads, highways, and bridges, as it may be necessary to occupy for the purposes aforesaid, or to obtain materials for the construction of said works, and to occupy, ditch, and lay pipes through the same, and the same to repair, from time to time; and if any injury be done to private property, the said company shall make compensation therefor, or give security for such compensation, according to the provisions of the eleventh section of an act, entitled "An Act regulating railroads," approved February nineteenth, one thousand eight hundred and forty-nine.

SECTION 3. The capital stock, of said company, shall be fifty thousand dollars, divided into shares of fifty dollars each; and the said company may issue bonds, to the amount of fifty thousand dollars, bearing interest, not exceeding eight per centum per annum, and secure the same, by mortgage, of their real estate, franchises, and privileges.

SECTION 4. The stockholders shall annually, at such day, and place, as the by-laws may designate, elect five directors, to manage the affairs of the company, who shall serve for

Officers.

Votes.

Refusal, or neglect, to pay instalments, relative to.

Authorized to establish rules, and fix rates.

Dividends.

Proviso.

Tax on stock.

one year, and until their successors are elected; and the persons, above named, shall be the first board of directors, and they, and each succeeding board, shall elect a president, from among their number, and also appoint such other officers, and agents, as the interests of the company may require; and in all elections, each share of stock shall be entitled to one vote.

SECTION 5. If any subscriber, to the stock of this corporation, shall refuse, or neglect, to pay any instalment, called for by the said company, at the time and place appointed, and the same shall remain unpaid, for thirty days, he shall, in addition to the instalment called in, pay interest thereon, for such delay, at the rate of five per centum per month, and the company may sue for, and recover, the said instalment, and interest, or forfeit the amount, already paid by said subscriber, as may be best for said company.

SECTION 6. The said company shall have the right to fix, and establish, all necessary rules, and regulations, as to the use of the said gas and water, furnished as aforesaid, and to fix the rates, and prices, to be paid by the citizens, using the same, and to collect the same, as debts are now collected, by the laws of this commonwealth, and to declare dividends of the net profits of such company, as may be provided by the by-laws: *Provided*, That such part of said work, as may be deemed advisable by said company, shall be done, from time to time, and the company shall have as full power over the work completed, as though they had finished the whole work, contemplated by this act; and that the said company shall pay into the state treasury, a tax of one-half of one per centum, in four quarterly payments, on the capital stock.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 335.

## An Act

To incorporate the Baltimore Condensed Milk Company, of the borough of York, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Gail Booden, junior, Nelson Roberts, John F. Thomas, **Corperators.**  
 and the firm of Numsen, Carroll & Company, consisting of  
 William Numsen, Stephen J. Carroll, John W. Numsen, and  
 Nathaniel G. Numsen, and their successors, and assigns, and  
 all persons who now are, or may hereafter be, associated with  
 them, be and they are hereby created, and erected, into a body  
 politic, and corporate, in deed, and in law, by the name of **Name.**  
 the Baltimore Condensed Milk Company, for the purpose of **Purpose.**  
 concentrating milk, buying the same for that purpose, and  
 none other whatsoever, and of selling the produce of such  
 manufacture; and by that name, shall have perpetual succes-  
 sion, and shall be able to sue, and be sued, implead, and be **Privileges.**  
 impleaded, in all the courts of record in this commonwealth,  
 or elsewhere; and shall be capable, in law, and in equity, to  
 receive, take, and hold, by purchase, gift, devise, or bequest,  
 for the use of said corporation, lands, tenements, and heredita-  
 ments, and estates, both real and personal, wherever situated,  
 and the same to grant, bargain, sell, and assign, in fee simple,  
 or for any less estate, as to the said corporation may seem  
 proper; and to make, and have, a common seal, and the same **Seal.**  
 to break, alter, and renew, at pleasure; and also, to ordain,  
 and establish, such by-laws, and regulations, as shall appear **By-laws.**  
 necessary, and convenient, for the government of said corpora-  
 tion, not being contrary to the constitution, or laws, of this  
 commonwealth; and generally to do all, and singular, the  
 matters, and things, lawfully appertaining to the well-being  
 of the said corporation, and the due management of the af-  
 fairs thereof.

SECTION 2. The capital stock, of the said company, shall **Capital stock.**  
 consist of five hundred shares, of fifty dollars each, and the  
 company may, from time to time, at a meeting of the stock-  
 holders, convened for that purpose, increase the capital stock,  
 to any amount not exceeding two thousand shares, of fifty  
 dollars each, whenever the business of the said company may  
 require said increase.

SECTION 3. The government of this corporation, and the **Management.**  
 management of its business, shall be subject to such ordi-  
 nances, and regulations, as the majority of the stockholders  
 may hereafter adopt, and establish.

SECTION 4. That this company shall not engage, under the **Prohibition.**  
 provisions of this charter, in any other business than that set  
 forth in the first section.

HENRY C. JOHNSON,  
 Speaker of the House of Representatives.

JOHN P. PENNEY,  
 Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one  
 thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 336.

**An Act**

To incorporate the Gila Mining Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

**Corporators.** That R. D. Barclay, J. M. Ritterson, Joseph Lesley, George Taber, O. W. Barnes, and their associates, or any three of them, be and they are hereby created a body politic, by the name, style, and title, of the Gila Mining Company; and by such name, and title, shall have perpetual succession, and shall be capable of suing, and being sued, impleading, and be impleaded, and of granting, and receiving, in its corporate name, property, real, personal, and mixed, and of holding, and improving, lands in Arizona, and the territories adjacent thereto, and to obtain therefrom any, and all, minerals, and other valuable substances, whether by working, or opening, leasing, or disposing privileges to work, or mine, such lands, or any part thereof, and to erect houses, and such other buildings, or works, as may properly appertain to said business, and to use, let, lease, or work, the same, and to dispose of the products of all such lands, mines, and works, as they may deem proper.

**By-laws.** **SECTION 2.** That the said company shall have power to make such by-laws as they may deem proper, to enable them to carry out the objects of the corporation, and the same, to alter, amend, add to, or repeal, at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of this commonwealth, or the provisions of this act; and to adopt a common seal, and the same, to alter, at pleasure; and to issue certificates of stock, representing the value of their property, in such form, and subject to such regulations, as they may, from time to time, by their by-laws, prescribe; and to regulate, and prescribe, in what manner, and form, their contracts, and obligations, shall be executed.

**Seal.**  
**May issue certificates of stock.**  
**Directors, election of.** **SECTION 3.** That the corporators, named in this act, shall elect persons to serve as directors, a majority of whom shall constitute a quorum, for the transaction of business, and shall hold their offices until their successors shall have been elected, in accordance with the by-laws.

**Offices.** **SECTION 4** That it shall be lawful, for said company, to establish the necessary offices for the business of the company, wherever their business is located, and to have their principal office in the United States, in such place as they may deem expedient, at which place, it shall be lawful to hold all meetings, for the transaction of the business of the company.

SECTION 5. That the provisions of this act shall continue in Limitation. force, for twenty years, and no longer.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 337.

## *S* Supplement

To the act incorporating the Inland Telegraph Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the Inland Telegraph Company is hereby authorized to increase the number of its directors to fifteen; and the annual meeting of stockholders shall be held on the first Tuesday in June, in each year, for the election of directors.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 338.

## *I*n Act

Supplementary to an act for the more effectual preservation of the Cumberland Road, approved April eighth, eighteen hundred and forty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the superintendents of that part of the Cumberland road, lying in Washington and Fayette counties, be and they are hereby directed to appropriate, annually, at least fifty per cent. of the tolls, that may hereafter be collected, within their respective counties, towards the liquidation of debts, now due against said road, in their respective counties, and make report, according to the provisions of the fifth section of the act, to which this is a supplement, and that the distribution to the creditors shall be made *pro rata*.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 339.

## An Act

To authorize the treasurer, of Luzerne county, to pay John Hines, for services rendered in eighteen hundred and sixty, as mercantile appraiser of said county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the treasurer, of Luzerne county, is hereby authorized, and directed, to examine the account of John Hines, for services rendered, as mercantile appraiser, for eighteen hundred and sixty, in said county, and pay said John Hines the sum of seventy-five dollars, or such other sum as may be found due him.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 340.

*An Act*

Directing the manner of making election returns in the borough of Pittston, in the county of Luzerne.

WHEREAS, By an act of assembly, passed the eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three, the borough of Pittston, in the county of Luzerne, was divided into three wards, for election purposes, and no provision was made, in said act, for making returns of the elections :

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said election returns shall be made, pursuant to the act of the second of April, one thousand eight hundred and sixty, applicable to cases where townships, or boroughs, are divided by the courts.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 341.

*An Act*

Requiring the Lehigh and Mahanoy railroad company to fence their road, in Rush township, Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That from, and after, the passage of this act, the Lehigh and Mahanoy railroad company shall be required to fence the line of said road, which is situate in the township of Rush, in Schuylkill county, and that part of said road, lying in the

## LAWS OF PENNSYLVANIA,

county of Carbon, in such substantial manner, as will prevent the destruction of animals on said road.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 342.

## An Act

Attaching the farm of William Kellerman, in Blair township. Blair county, to the borough of Gaysport, in said county, for school purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the farm of William Kellerman, containing ninety acres, bounded, and described as follows: beginning at an ash corner, on Jacob Mathews's farm; thence along line of said Mathews's farm, to a post; thence along line of Jeremiah Ritz's farm, to a post; thence along line of said Ritz's farm, to a post; thence along line of Alexander Knox's land, to a pine tree; and thence along lands of Patrick M'Closkey, to place of beginning, and situate in the township of Blair, and county of Blair, be and the same is hereby attached to the borough of Gaysport, in Blair county, for all school purposes.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 343.

**An Act**

To repeal an act to annex certain real estate to Clarion township, in Clarion county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from, and after, the passage of this act, the provisions of an act, entitled "An Act to annex certain real estate to Clarion township, in Clarion county," approved the fifth day of April, Anno Domini one thousand eight hundred and sixty-two, are hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 344.

**An Act**

Extending the provisions of certain acts of Assembly, relative to selecting sites for school houses, to Mercer and Allegheny counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act to authorize the school directors, of Chester and Delaware counties, to select sites for school houses," passed May eighth, one thousand eight hundred and fifty-four, and the provisions of the supplement thereto, passed April fifth, one thousand eight hundred and sixty, be and the same are hereby extended to the counties of Allegheny and Mercer.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 345.

**An Act**

To incorporate the Nanticoke Coal and Iron Company.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*
- Corporators.** That John C. Phelps, Elisha Phinney, Ziba Bennett, Andrew T. McClinton, and Washington Lee, junior, of the county of Luzerne, and such other persons as shall be associated with them, their successors, and assigns, be and the same are hereby erected into a body politic, and corporate, in deed, and by law, with all the powers, and privileges, incident to, and by law pertaining to, a body politic, and corporate, by the name, style, and title, of the Nanticoke Coal and Iron Company, with a capital of one million five hundred thousand dollars, with power to increase the same to two millions of dollars, to be divided into shares of one hundred dollars each.
- Privileges.**
- Title.**
- Capital.**
- Board of directors, election of.** **SECTION 2.** That the affairs of said company shall be managed by a board of seven directors, one of whom shall be president, who shall be chosen by said directors; the first election shall be held, within six months after this act takes effect, of which election two weeks' public notice shall be given, in one or more newspapers, published in the borough of Wilkesbarre; and subsequent elections shall be held, at such time, and place, annually, as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every share of stock subscribed, and paid in, shall entitle the holder to one vote.
- Notice.**
- Votes.**
- Seal.** **SECTION 3.** That the said corporation, by the name aforesaid, shall have authority to hold, and use, a common seal, and the same to change, alter, or amend, at pleasure, and by the name, style, and title, aforesaid, shall be capable, in law, to sue, and be sued, before any court, or justice of the peace, in this commonwealth; and may make all needful rules, regulations, and by-laws, for the well ordering of the business, and affairs, of the said corporation, so that the same shall, in no wise, conflict with, or be contrary to, the laws and constitution of this commonwealth.
- By-laws.**
- Authorized to purchase coal lands.** **SECTION 4.** That the said corporation, by the name aforesaid, may purchase, lease, and hold, coal lands, in the county of Luzerne, not exceeding, at any one time, five thousand acres, with power to mortgage, sell, lease, or otherwise dispose of, the same, or any part thereof; and the capital of the said company may be employed in purchasing, mining, vending, and transporting to market, coal, and other minerals, in manufacturing, vending, and transporting, iron, and in such other objects as may be considered necessary, and expedient, in the prosecution of said business; but nothing, herein contained, shall be construed to authorize said corporation to exercise banking privileges.
- How capital to be employed.**
- Prohibition.**
- Report to be made to the auditor general.** **SECTION 5.** That an annual report shall be made to the auditor general of the commonwealth, in the month of January, of

each year, to be, by him, filed in his office, and verified by oath, or affirmation, of the president, secretary, or treasurer, of said company, showing the amount of capital stock paid in, and the number, and amount, of dividends declared, and paid, during the current year.

SECTION 6. That dividends may be declared, and paid, semi-annually, or annually, as the directors may order; but such dividends shall, in no case, exceed the amount of actual profits acquired by the company. Dividends.

SECTION 7. That this act shall not take effect until five thousand shares shall have been subscribed, and paid in; a statement of which, containing the names of the subscribers, and the amount subscribed by each, verified by the oath, or affirmation, of some one of the subscribers, shall be furnished to the governor, to be filed in the office of the secretary of the commonwealth; whereupon, the governor shall issue letters patent to the corporation. When letters patent to be issued.

SECTION 8. That subscriptions to the stock may be paid, in part, or in whole, in real estate, appropriate to the business contemplated by this act, at a *bona fide* cash valuation, to be agreed upon by a majority, in interest, of the subscribers, and stockholders; and the stockholders, of said company, shall be jointly, and severally, liable, in their individual capacities, and estate, for debts due miners, and other laborers, employed by said company, and for machinery, provisions, merchandize, country produce, and material furnished, to be enforced, and collected, in the manner provided for in the act, entitled "An Act to encourage manufacturing companies in this commonwealth," approved the seventh day of April, Anno Domini one thousand eight hundred and forty-nine; and that said stock may be subscribed for, purchased, and held, by any company, incorporated by the laws of this commonwealth. Subscriptions to stock, how to be paid.

SECTION 9. That the said corporation shall pay to the state treasurer, for the use of the commonwealth, one-half of one per centum, upon the amount of the capital stock subscribed, and paid in, payable in four equal, annual, payments, after the issuing of the said letters patent, and a like per centum, on any increase, in a like ratio, after such increase. Individual liability.

SECTION 10. That said corporation shall have the right to borrow any sum, or sums, of money, not exceeding the one-half of their capital, and to issue bonds, or certificates of loan, therefor, with, or without, coupons attached, and give to such bonds, or certificates, such preference, and security, by mortgage, or otherwise, as the directors, of said company, may judge expedient: *Provided*, That no bond, or certificate, shall be issued, for a less sum than five hundred dollars, and that the interest, payable on the same, shall not exceed seven per centum per annum. Bonus.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.  
JOHN P. PENNEY,  
Speaker of the Senate. May borrow money, and issue bonds therefor.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty-four. Proviso.

A. G. CURTIN.

No. 346.

## An Act

Relating to the Philadelphia and Erie Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the tenth and eleventh sections, of an act, entitled "An Act regulating railroads," approved February nineteenth, one thousand eight hundred and forty-nine, be extended to the Philadelphia and Erie railroad.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred sixty-four.

A. G. CURTIN.

No. 347.

## An Act

Relative to the Columbia and Marietta Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Columbia and Marietta Turnpike Road Company shall have the power to demand, and collect, tolls from all persons hauling or driving over their bridge, or bridges, at Chiques creek, at a rate of not exceeding two cents for each horse, crossing the same, in addition to the tolls now charged by law on said turnpike.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 348.

**An Act**

To authorize the State Treasurer to enter satisfaction on a mortgage.

WHEREAS, The Philadelphia and Reading Railroad Company gave, and executed, to the commonwealth of Pennsylvania, a mortgage, dated the twenty-seventh day of December, one thousand eight hundred and fifty, and recorded at Philadelphia, in mortgage book, G W C, number twenty-nine, page four hundred and ninety-five, to secure the payment of the sum of two hundred and eighteen thousand two hundred dollars, and interest, being the balance of the purchase money due for the sale, to them, of the bridge across the Schuylkill river, and a part of the line of railway, heretofore belonging to the commonwealth, near the city of Philadelphia :

*And whereas,* All of the moneys, secured by the said mortgage, have been fully paid, and discharged, by the aforesaid company, and they have requested, that the said mortgage should be satisfied of record, therefore ;

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized, and directed, on behalf of the commonwealth of Pennsylvania, to enter and acknowledge of record, full satisfaction of the said mortgage, and of the moneys thereby secured.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 349.

**An Act**

To repeal part of an act authorizing the administrators of Zachariah Connell, deceased, to sell his estate, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the third section of an act, entitled "An Act authorizing the administrators of Zachariah Connell, deceased, to sell his estate, and for other purposes," approved the fifth day of March, one thousand eight hundred and nineteen, relating to the bridge over the Youghiogheny river, at Connellsville, be and the same is hereby repealed; and the sixth and seventh sections of an act, entitled "An Act regulating bridge companies," approved the twelfth day of April, one thousand eight hundred and fifty-five, and the provisions of an act, approved the tenth day of March, one thousand eight hundred and fifty-eight, entitled "An Act to prevent the forcible and fraudulent crossing the bridges, without payment of toll, are hereby extended to, and shall apply to, the present Youghiogheny bridge company, in all their parts.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 350.

## Supplement

To an act incorporating the Skippack Turnpike Road Company, approved the fifteenth day of March, one thousand eight hundred and fifty-three.

WHEREAS, The Skippack Turnpike Road Company, of Montgomery county, incurred, in the construction of their road, a heavy debt, which is secured by the bonds of the corporation, bearing six per centum interest :

*And whereas*, All the income of the road is required for the payment of the necessary repairs and expenses, and of the interest upon the loan, leaving nothing for the reduction of the debt, for extraordinary expenses, nor for the holders of the stock :

*And whereas*, Under the provisions of the acts of incorporation, there is a great deal of free travel on the said road, and the wear and tear thereof, by heavy, broad-wheeled wagons, and carts, at low rates of toll, imposes a burden upon the corporation, greatly exceeding the income, derived from such travel; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*



That from, and after the passage of this act, there shall be no free travel over the said Skippack turnpike road, except by funeral processions, and persons passing to and from places of public worship, on the Sabbath day, and by persons passing from one part of his, her, or their farm, to any other part of the same; and that the said corporation shall have power to regulate their tolls, without reference to the breadth of the tire of the wheels of vehicles, passing over the same, and to charge for every cart, or wagon, which is not a carriage of pleasure, not exceeding one cent per mile, for each horse drawing the same, in all cases, where the load, carried by such cart or wagon, does not exceed two tons, and an additional one cent for each horse per mile, for every additional ton carried by such cart or wagon.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 351.

## A Further Supplement

To an act to incorporate the Pittsburg and Birmingham Passenger Railroad Company, approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the completion of said road, according to the provisions of the supplement to an act to incorporate the Pittsburg and Birmingham Passenger Railroad Company, passed the sixteenth day of May, Anno Domini one thousand eight hundred and sixty-one, be and the same is hereby extended, for three years, from this date.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 352.

*A Further Supplement*

To the act incorporating the Reading and Columbia Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful, for the president and directors of the Reading and Columbia Railroad Company, to borrow an additional sum of money, not exceeding three hundred and fifty thousand dollars, to be used, and applied, in the construction, completion, and equipment, of their railroad, from Columbia to Sinking Spring; and the said president and directors may issue bonds, of not less than one hundred dollars each, for the amount to be borrowed as aforesaid, bearing interest, not exceeding seven per centum per annum; and the said president, and directors, shall have authority, to secure the payment of the said bonds, by a mortgage upon their said railroad, and the property, rights, and franchises, and the lands, tracks, ties, rails, bridges, ways, buildings, erections, fences, walls, fixtures, privileges, hereditaments, corporeal, and incorporeal, and real estate, owned, or to be acquired, by the said company, in, upon, and along, the said railroad, and also, all the tolls, income, rents, issues, and profits, to arise, and to be had, from the same, and all the depots, stations, turnouts, switches, and depot, and station buildings, with their appurtenances, and all the locomotive engines, tenders, cars, carriages, wood, coal, fuel, tools, and machinery, appertaining to the said railroad, owned, or to be acquired, by the said company, upon all of which, the said mortgage shall be a second lien; and the said president, and directors, shall have authority to set forth, in said bonds and mortgage, all desirable remedies, in law and equity, for the collection of the same, and their interest; and such remedies shall be available, on breach of the conditions contained in the bonds; and the first mortgage for six hundred and fifty thousand dollars, authorized by the act of assembly of February twenty-fifth, one thousand eight hundred and sixty-two, entitled "A further supplement to the act incorporating the Reading and Columbia Railroad Company," shall continue, and remain, unimpaired by this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 353.

**An Act**

To incorporate the Spring Garden Mutual Fire Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That John Flory, David Witmer, Daniel Gottwalt, Daniel Heidlebaugh, Jacob Dietz, Reuben Minich, John Rouse, Israel Frey, Daniel Wollet, Henry Sleeper, Jr., Samuel Hively, John S. Hiestand, William Frey, Frederick Schatzberger, Daniel T. Stine, Henry Sleeper, and A. F. Hiestand, all of the county of York, are hereby appointed commissioners, who, or a majority of whom, are authorized, and empowered, from, and after, the passage of this act, to establish a mutual insurance company, by the name, and title, of the Spring Garden Mutual Insurance Company, to be located in the township of Spring Garden, in the county of York; and said company shall be organized, and managed, according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class, in the seventh section, of said act: *Provided*, No buildings, or personal property, of any kind, shall be insured, outside of the limits of the county of York.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 354.

**An Act**

To provide for the payment of bounties to volunteers, in the county of Butler.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*,

**School directors authorized to levy a bounty tax.** That the school directors, or a majority of them, of the several townships, and boroughs, of the county of Butler, shall have the power to levy, assess, and collect, on the property now taxable, for state and county purposes, a tax sufficient to pay a bounty of, not exceeding, three hundred dollars, to each volunteer enlisted, and credited on the quotas of said districts, for the present, or any future, calls and drafts.

**A *per capita* tax may be included** SECTION 2. That in levying, and collecting, said tax, the said directors shall have power to include, in the same, a poll, or *per capita*, tax, on each taxable citizen, who is, or may be, subject to a draft, of not exceeding twenty-five dollars.

**Subscriptions, loans, &c., made by individuals, or committees, to be re-paid.** SECTION 3. That in case said bounties have already been raised, or may hereafter be raised, and paid to said volunteers, in any of said districts, by money subscribed, loaned, advanced, or paid, by, or through, individuals, or committees, acting for the citizens, and with the understanding, or condition, that the same should be re-paid by general taxation, the said directors are hereby authorized, and required, to re-pay the same to said persons, out of said moneys, so assessed, and collected.

**Exonerations.** SECTION 4. That in assessing, and collecting, said taxes, said directors shall have power to make such exonerations, and exemptions, as they may deem just, and proper, and shall have power to appoint such collectors, and issue such warrants, and take such bonds, for the collecting, and safety, of said moneys, as is provided by existing laws, for the assessing, and collecting, of state and county taxes, and do all other acts, and things, necessary in the premises.

**Accounts to be audited.** SECTION 5. All funds, so raised, for said purposes, shall be audited by the township, or borough, auditors of any of said districts; and if any surplus exists, the same shall be paid over, by said directors, to the common school fund of said districts.

**Exempt from provisions of general bounty act.** SECTION 6. The said county of Butler shall be exempt from the provisions of the general bounty law, approved twenty-fifth March, Anno Domini one thousand eight hundred and sixty-four, wherever said provisions are inconsistent with the provisions of this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 355.

**A Supplement**

To an act to incorporate the Cooper Fire Arms Manufacturing Company, approved the third day of April, Anno Domini one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the limitation, contained in the first section of said act, confining said company to hold five acres of real estate, in the county of Allegheny, be repealed, and that said company may hold ten acres of real estate, in any part of this commonwealth. Repeal of certain limitation.

SECTION 2. That the stocks, authorized by said act, shall be one hundred and fifty thousand dollars, divided into six thousand shares, of twenty-five dollars each, with authority to increase its capital stock to the extent of five hundred thousand dollars; and upon any such capital stock, a bonus of two and one-half per centum shall be paid, in four equal annual payments; and upon any such increase of capital stock, as herein authorized, the said bonus of two and one-half per centum shall also be paid, in like manner, commencing within one year after such increase of capital stock shall be determined upon. Capital stock, relative to.  
Bonus.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

We do certify, that the bill, No. 255, entitled "A supplement to an act to incorporate the Cooper Fire Arms Manufacturing Company, approved the third day of April, one thousand eight hundred and sixty-three," was presented to the governor, on the seventeenth day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, April 14, 1864.

No. 356.

**An Act**

To increase the pay of certain officers in the counties of Jefferson, Mifflin, and Clarion.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the pay of the commissioners, and auditors, of the county of Jefferson, is hereby increased to the sum of two dollars per diem, while engaged in the discharge of their official duties; and the pay of the jurors, of said county, and of the counties of Clarion, and Mifflin, is hereby increased to the sum of one dollar and fifty cents per diem, with the allowance of mileage, as heretofore.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 391, entitled "An Act to increase the pay of certain officers in the counties of Jefferson, Mifflin, and Clarion," was presented to the governor, on the thirty-first day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 14, 1864.

No. 357.

**An Act**

Relative to the pay and compensation of the directors of the poor of Lancaster county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the pay, and compensation, of the directors of the poor of Lancaster county, shall hereafter be two dollars per day, and juror's mileage, for each, and every, day's necessary attendance, and official service.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 382, entitled "An act relative to the pay and compensation of the directors of the poor of Lancaster county," was presented to the governor, on the twenty-ninth day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 14, 1864.

No. 358.

*An Act*

To open parts of Columbia avenue, and Bedford street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That within one month, after the approval of this act, the court of common pleas shall appoint three commissioners, whose duty it shall be to lay out, and open, Columbia avenue, and straighten it from Fifth to Sixth streets, and from Hancock to Mascher street, also, Bedford street, from Fifteenth to Broad streets, in the city of Philadelphia, and all damages shall be assessed, as is now provided for by existing laws; and within one month, after the confirmation of the report of the said commissioners, the chief commissioner of highways shall put the said street in good traveling order.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 312, entitled "An Act to open parts of Columbia avenue, and Bedford street, in the city of Philadelphia," was presented to the governor, on the twenty-ninth day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, *April 14, 1864.*

No. 359.

## An Act

Repealing an act relative to the pay of the county commissioners of Fayette county, approved the twenty-eighth day of February, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That an act relative to the pay of the county commissioners, of Fayette county, approved the twenty-eighth day of February, one thousand eight hundred and sixty-one, be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 6, entitled "An Act repealing an act relative to the pay of the county commissioners of Fayette county, approved the twenty-eighth day of February, one thousand eight hundred and sixty-one," was presented to the governor, on the twenty-ninth day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, *April 14, 1864.*



No. 360.

**A Supplement**

To an act incorporating the Jersey Shore, Pine Creek and State Line Railroad Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the Jersey Shore, Pine Creek and State Line Railroad Company be, and are hereby, authorized, when their main line shall be located to Manchester, in the county of Tioga, (third fork of Pine creek,) to construct a branch railroad, by way of Marsh creek, and Crooked creek, to the state line, in the county of Tioga, with the privilege of connecting with the Tioga railroad, at a point opposite to Tioga borough, or any point north of said Tioga borough, in the county of Tioga.

Authorized to construct a branch and connect with the Tioga railroad.

**SECTION 2.** That the said company is also authorized to construct a branch, or branches, from the borough of Jersey Shore, in Lycoming county, to connect with the Philadelphia and Erie railroad, or any other railroad, that is now, or hereafter may be, constructed in the counties of Clinton and Lycoming.

Branch from Jersey Shore, relative to.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 361.

**An Act**

To increase the compensation of certain officers, and of jurors and witnesses, in the county of Montgomery.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That hereafter, and including the current year, commencing in November, Anno Domini one thousand eight hundred and sixty-three, the county commissioners of Montgomery county

Compensation  
of certain coun-  
ty officers in-  
creased.

shall each receive, out of the treasury of said county, a compensation for their services, of eight hundred dollars per annum, and the directors of the poor, and house of employment, of said county, the sum of two hundred and fifty dollars per annum each, and the county auditors of said county, the sum of one hundred dollars per annum, each; and the said county commissioners are hereby authorized to fix the annual salary of their clerk, at any sum, not exceeding eight hundred dollars.

Pay of jurors  
and witnesses.

SECTION 2. That from, and after, the passage of this act, the pay of all jurors, in said county of Montgomery, summoned to attend court, or upon proceedings in the matters of roads and bridges, shall be one dollar and fifty cents per day, and in addition thereto, mileage as heretofore; and the pay of all witnesses, in attendance at court, upon subpoena, shall be one dollar per day, and in addition thereto, mileage as heretofore.

Township, ward  
and borough  
officers, pay of.

SECTION 3. That from, and after, the passage of this act, the pay of each of the several township, ward, and borough officers, in said county of Montgomery, hereinafter named, for each day necessarily employed in the discharge of their respective official duties, shall be as follows, to wit: supervisors, one dollar and fifty cents; assessors, and assistant assessors, one dollar and fifty cents; township auditors, one dollar and fifty cents.

Repeal.

SECTION 4. That all existing laws, or portions thereof, inconsistent herewith, are repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 484, entitled "An Act to increase the compensation of certain officers, and of jurors, and witnesses, in the county of Montgomery," was presented to the governor, on the twenty-ninth day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, *April 14, 1864.*

No. 362.

**An Act**

To increase the compensation of the county commissioners of Delaware county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from the first day of January, Anno Domini one thousand eight hundred and sixty-four, to the first day of January, Anno Domini one thousand eight hundred and sixty-six, inclusive, the county commissioners, of Delaware county, shall each receive, out of the county treasury, the sum of three dollars per day, for each, and every, day necessarily employed by them, or either of them, in attending to the duties of their office.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 385, entitled "An Act to increase the compensation of the county commissioners of Delaware county," was presented to the governor, on the twenty-ninth day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 14, 1864.

No. 363.

**An Act**

To increase the pay of jurors, and witnesses, in the county of Bedford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Pay of jurors  
increased.

That from, and after, the passage of this act, every person, who shall serve, or attend, as a juror, in any court in the county of Bedford, shall be entitled to receive, from the treasurer of said county, upon a warrant drawn by the commissioners thereof, one dollar and fifty cents for each day's service, or attendance, as aforesaid.

Witnesses, pay  
of.

SECTION 2. That from, and after, the passage of this act, the payment of witnesses, attending court in the county of Bedford, shall be as follows: for each day's attendance at court, when the witness does not reside in, nor within, one mile of the county seat, the sum of one dollar, for each day's attendance at court; when the witness resides in, or within, one mile of the county seat, the sum of eighty-seven and a half cents, to be paid, as directed by existing laws, in relation thereto; and that so much of any other act, or acts, of assembly, as is hereby altered, or supplied, be and the same is hereby repealed.

Repeal.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

We do certify, that the bill, No. 452, entitled "An Act to increase the pay of jurors, and witnesses, in the county of Bedford," was presented to the governor, on the twenty-ninth day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, April 14, 1864.

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No. 364.

## An Act

Relative to the treasurer of Erie county, and to increase the compensation of commissioners of said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of said county shall receive two dollars and fifty cents per day, and the mileage, now by law

allowed to them; and may hold as many meetings, in any one year, as, in their judgment, the business of the county requires; and that any, and all, laws, inconsistent with this act, be and the same are hereby repealed; and that the office of treasurer, of said county, may be held by the same person, for two terms, in any period of six years.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 483, entitled "An Act relative to the treasurer of Erie county, and to increase the compensation of commissioners of said county," was presented to the governor, on the thirty-first day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 14, 1864.

No. 365.

## An Act

To increase the pay of the commissioners and auditors of Potter county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the pay of the county commissioners, and auditors, of the county of Potter, shall be three dollars per day, while actually employed in the discharge of their official duties; this act to take effect from the first day of January, Anno Domini one thousand eight hundred and sixty-four.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 70, entitled "An Act to increase the pay of the commissioners and auditors of Potter

county," was presented to the governor, on the thirty-first day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, *April 14, 1864.*

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No. 366.

## A Supplement

To an act to incorporate the Washington Coal Company, and for other purposes, passed the sixteenth day of April, Anno Domini one thousand eight hundred and thirty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pennsylvania Coal Company, incorporated in pursuance of an act of the general assembly, passed the sixteenth day of April, one thousand eight hundred and thirty-eight, and the supplement thereto, be and they are hereby authorized to purchase coal, and also, to hold, by purchase, or lease, for the purpose of carrying on their operations, an additional quantity of land, in the county of Luzerne, not exceeding three thousand acres.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 472, entitled "A supplement to an act to incorporate the Washington Coal Company, and for other purposes, passed the sixteenth day of April, Anno Domini one thousand eight hundred and thirty-eight," was presented to the governor, on the first day of April, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitu-

tion of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, *April 14*, 1864.

No. 367.

## An Act

To incorporate the National Mining Company of Colorado.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas Ashton, John Daly, Eli Keen, Louis Eckel, John O'Byrne, Frank M'Laughlin, Thomas Collins, and their associates, be and they are hereby created a body politic, by the name, style, and title, of the National Mining Company of Colorado, and by such name, and title, shall have perpetual succession, and shall be capable of suing, and being sued, impleading, and being impleaded, and of granting, and of receiving, in its corporate name, property, real, personal, and mixed, and of holding, and improving, lands in Colorado territory, and to obtain therefrom any, and all, minerals, and other valuable substances, whether by working, or mining, or leasing, or disposing, of privileges to work, or mine, such land, or any part thereof; and to erect houses, and such other buildings, and works, as may, in the opinion of the managers of the corporation, appertain to said business; and to use, let, lease, or work, the same, and to dispose of the products of all such lands, mines, and works, as they may deem proper.

Corporators.

Title.

Powers and privileges.

SECTION 2. That the said company shall have power to make such by-laws as they may deem proper, to enable them to carry out the objects of the corporation, and the same to alter, amend, add to, or repeal, at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of this commonwealth, or the provisions of this act; and to adopt a common seal, and the same to alter at pleasure; and to issue certificates of stock, representing the value of their property, in such form, and subject to such regulations, as they may, from time to time, by their by-laws, prescribe, and to regulate, and prescribe, in what manner, and form, their contracts, and obligations, shall be executed.

By-laws.

Provide.

Seal.

Certificates of stock.

SECTION 3. That the corporators, of this act, shall elect persons to serve as directors of this company, a majority of whom

Election of directors.

shall constitute a quorum, for the transaction of business; and shall hold their offices until their successors shall have been elected, in accordance with the by-laws.

Offices.

SECTION 4. That it shall be lawful, for said company, to establish the necessary offices, for the business of the company, wherever their business is located, and to have their principal, in the United States, in such places as they may deem expedient, at which place, it shall be lawful to hold all meetings for the transaction of the business of the company.

Meetings.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 368.

## A Supplement

To an act to incorporate the Dimes Savings Institution of Lewisburg, approved March thirtieth, one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Authorized to  
increase capital  
stock.

That for the better security of the depositors of the said institution, the provisions of the sixth section of the act, entitled "An Act to incorporate the Dimes Savings Institution of Lewisburg," approved March thirtieth, one thousand eight hundred and sixty, be and the same are hereby extended, so as to authorize an increase of the capital stock of said institution, to a sum, not exceeding sixty thousand dollars.

Name changed.

SECTION 2 That from, and after, the passage of this act, the said institution shall be known by the name, style, and title, of "Lewisburg Deposit Bank."

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 369.

*An Act*

To authorize George Peck, guardian of Frederick B. Myers, and William Wood, guardian of William Myers, minor children of Madison F. Myers, late of Kingston, Luzerne county, Pennsylvania, deceased, or any guardian of said minors, hereafter appointed for them, or either of them, to sell certain real estate.

WHEREAS, The said minor children own, in common with the other children of said decedent, certain lands, in the borough of Kingston, in said county, and townships of Kingston and Plymouth, in said county, part thereof being lots in said borough, which the other owners are desirous to sell, and are desirous to rent the coal under the said lands, in said townships :

*And whereas,* The expense of procuring sales, under orders of the orphans' court, of such lots, would absorb the interest of the said minors therein, and the coal, so far as the said minors are interested therein, cannot be rented for the length of term, necessary to induce any party, to develop the same, under any existing law, whereby the owners are prevented, from making their property available ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That George Peck, guardian of Frederick B. Myers, and William Wood, guardian of William Myers, minor children of Madison F. Myers, late of Kingston township, Luzerne county, Pennsylvania, deceased, or any guardian, that may hereafter be appointed for said minors, or either of them, be, and they are, hereby authorized, and empowered, to sell, and dispose of, from time to time, at public, or private, sale, in such parcels, and upon such terms, as they, or any guardian, hereafter appointed, may think proper, all the estate, right, title, and interest, of the said minors, or either of them, in any lands, tenements, and hereditaments, situate in the said county of Luzerne ; and to demise, lease, and to mine, let, any coal, or other minerals, in, or under, any such lands, tenements, and hereditaments, in which, said minors have an undivided interest, for such price, or prices, or term, or terms, and upon such rents, as the other owners, of the said real estate, shall sell, or lease at, and to join with the other parties, owning the remaining undivided interest in the same, in the execution, acknowledgment, and delivery, to the purchaser, or purchasers, lessee, or lessees, of good and sufficient deeds of conveyance, in fee simple, or leases for years, for the same ; and all such deed, or deeds, of conveyance, or lease, or leases, shall be good, and effectual, to pass the respective estate, or any part thereof, of the said minors, or either of them, to the purchaser, or purchasers, lessee, or lessees, in law, equity, or otherwise, for

the estates, or term, thereby embraced, and mentioned, as fully, and completely, and with the same effect, as if the said sale, or sales, and conveyances, lease, or leases, had been made under orders of the orphans' court of the said county, duly authorized to make the same: *Provided*, That before entering upon the execution of the powers, hereby granted, the said guardians, or in case of their removal, or the removal of either of them, any guardian, that may hereafter be appointed, shall give such security, and in such amount, as the orphans' court for said county of Luzerne shall deem sufficient, to insure the faithful application of the portion of the purchase money, or rents, belonging to the said minors, which may accrue from the said sales or leases.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 370.

## An Act

To annul the marriage contract between Washington Warren Welsh, and Rhoda Maria Welsh.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the marriage contract, entered into between Washington Warren Welsh, and Rhoda Maria Welsh, be and the same is hereby annulled, and made void, and the parties released, and discharged, from said contract, and from all duties, and obligations, arising therefrom, as fully, effectually, and absolutely, as if they had never been joined in marriage.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 371.

**An Act**

To provide for the change of the location of the Bank of Northumberland, to the borough of Sunbury, in the county of Northumberland.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That it shall, and may, be lawful for a majority, in interest, of the stockholders of the Bank of Northumberland, in this commonwealth, voting at a stockholders' meeting, to be held as is hereinafter directed, and provided for, to direct, and change, the location, or place, for the transaction of business, of the said Bank of Northumberland, from the borough of Northumberland, the place designated in the charter thereof, to the borough of Sunbury, in the county of Northumberland, aforesaid. Change of location authorized.

*SECTION 2.* That the board of directors, of said bank, or any twenty stockholders thereof, being, together, the proprietors of one-fifth part of the stock, may, at any time, call a meeting of the stockholders, to be held at the banking house of said institution, between the hours of eleven o'clock, forenoon, and two o'clock, afternoon, upon any day, to be designated in such call, for the purpose of deciding upon the removal, or change of location, of said bank, to the borough of Sunbury, as aforesaid, giving, at least, thirty days' notice thereof, in one, or more, newspapers, published in the county of Northumberland, aforesaid, and specifying, in such notice, the object of the said meeting. Meeting of stockholders to be held.  
Notice.

*SECTION 3.* That for the well ordering, and conducting, of the said stockholders' meeting, the directors of said bank shall previously thereto, or upon their failure so to do, the stockholders, at said meeting, shall, appoint three stockholders, to hold said meeting and election, who shall severally take, and subscribe, an oath, or affirmation, before some officer duly authorized to administer oaths, well and truly, and according to law, to conduct such election; they shall determine, and decide, upon the qualification of voters, giving to each stockholder, attending said meeting, one vote for each share of stock held by him, or her, respectively; and after the conclusion of the ballot, shall count the said ballots, as aforesaid; and if a majority of the number of shares, voted at said meeting, shall be found to be in favor of such proposed removal, or change of location, as aforesaid, they, the said judges, or a majority of them, shall immediately make out, and deliver, to the cashier of said bank, to be filed among the papers, and entered upon the minutes of the said bank, a certificate, under their hands and seals, setting forth the result of the said election, and shall also forward a similar certificate to the secretary of the commonwealth, who, upon receipt thereof, shall forth- Three stockholders to be appointed to hold the election.  
Oath.  
Their powers and duties.  
Certificates of result to be filed.  
Secretary of the commonwealth, upon receipt of certificate, to give notice.

with give notice to the officers, and directors, of said bank, to remove, and change, the location of the same to the place so designated by the stockholders thereof, as aforesaid.

Officers to remove bank, within sixty days after notice.

Change of location not to affect powers, privileges, &c.

SECTION 4. That it shall be the duty of the officers, and directors, of said bank, within sixty days from, and after, the receipt of the said notice from the secretary of the commonwealth, as aforesaid, to remove, and change, the location, and place for the transaction of the business, of said bank, to the borough of Sunbury, aforesaid; and the said borough of Sunbury, so designated, shall, from the time of such change, or removal, be held, and taken, as the true, and legal, location of the said Bank of Northumberland, to, and for all, and every use, intent, and purpose, and as fully, as if the said borough of Sunbury had been fixed, and named, in its charter, for its location, and the transaction of its business; and the said bank shall continue in such new location, to be invested with all its powers, rights, franchises, and privileges, as fully as it held, and enjoyed, the same, previous to its removal; and the act incorporating said bank, and all other acts and laws, relating thereto, shall continue in full force, except so far as the same may be necessarily altered, by the change of location, as aforesaid, or to give full force, and effect, to the provisions, and true intent, and meaning, of this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 372.

## An Act

Relating to sheriff's fees in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That, hereafter, the compensation to be allowed to the sheriff of the county of Luzerne, for service of notices upon jurors,

for attendance upon the courts of said county, shall be fifty cents each, in lieu of that now allowed by law.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 373.

## An Act

To revise and re-enact an act to encourage the further development of the mineral resources of the commonwealth of Pennsylvania, approved the eleventh day of April, one thousand eight hundred and forty eight, so far as to apply to, and embrace, the county of Fayette.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several provisions of an act, entitled "An Act to encourage the further development of the mineral resources of the commonwealth of Pennsylvania," be and the same are hereby revised, and re-enacted, so far as to apply to, and embrace, the county of Fayette.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 374.

*An Act*

To change the width of Wilkey (formerly Bedford) street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of Wilkey street, as lies between Shackamaxon and Hanover (now called Columbia avenue) streets, in the Eighteenth ward, of the city of Philadelphia, be changed to the width of thirty feet, as formerly laid out, and located, agreeably to legislative enactment, dated March sixth, one thousand eight hundred and twenty.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 375.

*An Act*

To provide for the purchase of land, and the erection of buildings, for the support and employment of the poor of Warren county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Directors of the  
Rouse hospital  
to be elected.

Notice, &c.

Meeting and  
classification of  
directors.

That at the next general election, the qualified voters, of Warren county, shall elect three reputable citizens of said county, to be directors of the Rouse hospital, for the support and employment of the poor, of which election, notice shall be given, returns made, and notice to the parties elected served, as in cases of the election of other county officers; and the directors, so elected, shall meet at the court house, in said county, the first Monday of November next ensuing, and aided by the clerk of the court of quarter sessions, who shall keep a record thereof, divide themselves, by lot, into three

classes, the first to hold his office for one year, the second for two years, and the third for three years; and in like manner, one director shall be elected, each and every year thereafter, who shall hold his office for three years.

SECTION 2. Every director, thus elected, or appointed, as hereinafter provided, shall, within ten days after receiving notice of his election, or appointment, take, and subscribe, an oath, or affirmation, that he will discharge the duties of said office, truly, faithfully, and impartially, to the best of his knowledge, and ability; which oath shall be filed with the clerk of said hospital, and in case of neglect, or refusal to take the said oath, or affirmation, or to enter upon the duties of said office, he shall forfeit, and pay, the sum of twenty dollars, to be sued for, and recovered, by the directors, for the time being, as other debts are, by law, recoverable, for the use of the poor of said county. Oath to be taken and filed.

SECTION 3. The said directors shall forever thereafter, in name, and in fact, be a body politic, and corporate, in law, to all intents, and purposes, for the purposes specified in this act, and shall have perpetual succession, and may sue, and be sued, plead, and be impleaded, by the name and style of the Rouse Hospital of Warren county, and by that name, may purchase, receive, and hold, any lands, tenements, and hereditaments, not exceeding the yearly rental value of ten thousand dollars, and any money, goods, and chattels, whatsoever, of the gift, alienation, or bequest, of any person; and they shall have power to purchase a suitable tract of land, and erect thereon, suitable buildings, for the reception, use, and accommodation, of the poor, and the insane, of the county, to furnish employment for such as are able to work, and a comfortable maintenance to such as are not; to appoint clerks, treasurers, stewards, matrons, physicians, surgeons, attorneys, and so forth, prescribe their duties, and remove the same at pleasure, for cause; to bind out as apprentices, to suitable persons, such of their inmates as are of suitable age and character, so that the terms of the males shall expire at, or before, the age of twenty-one, and of females at, or before, the age of eighteen years; and do all other things, that overseers of the poor are empowered to do, by the laws of this commonwealth; and, also, to institute all such process, and proceedings, as overseers of the poor, are by the existing laws authorized to do, except in the assessment of taxes, and to receive all such fines, and forfeitures, as by law are now, or shall be, made payable to such overseers; and said directors are hereby empowered to have, and use, a common seal, in all business relating to said corporation. Incorporation.

Name.

Powers and privileges.

Apprentices.

Powers of overseers of the poor conferred.

Exception.

Seal.

SECTION 4. It shall be the duty of the said directors, by themselves, or their appointed officers, to keep an accurate account of all their receipts, and disbursements, of the names, age, sex, and color, of all persons received into their custody, and of the time when that custody commenced, and when it terminated, by dismissal, death, or otherwise, a copy, or digest, of which shall be filed in the commissioners' office of Warren county, on or before the first of January of every year; and the accounts of their receipts, and expenditures, Duties of directors.

**Accounts to be audited, published, &c.** shall be submitted to, adjusted, and settled, by the county auditors, when they settle the accounts of the county officers, and be published with, and as they are; and the books, and accounts, so kept by the directors, together with buildings and rooms of the inmates, and their treatment in all respects, shall, at all times, be subject to the inspection of the judges, commissioners, auditors, and grand juries, of said county, and to such other persons, as the court may appoint for that purpose.

**Estimate of expenses to be furnished to commissioners, annually.** SECTION 5. It shall be the duty of the directors, on or before the first of December in each year, to make out, in detail, and furnish to the commissioners of the county, an estimate of the probable expenses of the corporation, for the ensuing year, including the necessary erections, and repairs, salaries, and supplies; whereupon, the said commissioners shall take the necessary measures, to supply the means required, to defray said expenses; and if the revenues, arising from the

**Assessment to be increased, if revenue is insufficient.** Rouse estate, applicable to that purpose, be insufficient, they shall raise the requisite amount, by increasing their assessment for county purposes, sufficiently to meet the demand, and shall pay it over as needed, by orders drawn on the county treasurer.

**Vacancies in board of directors to be filled by court.** SECTION 6. A majority of said directors shall be sufficient to transact all business, and if, at any time, by failure to elect, death, resignation, or otherwise, there should occur a vacancy in the board, the same shall be filled by an appointment, made by the court of quarter sessions, on the petition of the other directors, or in case of their failure to petition, or that of any respectable citizen; which appointment shall be good until the next general election, when such vacancy shall be filled by an election.

**Authorized to make by-laws, rules, &c.** SECTION 7. The said directors shall have power to make, and ordain, all such by-laws, rules, and regulations, as they shall think necessary, for the government, direction, support, and employment, of the poor of the county, and of the revenues belonging or accruing thereto, and of all such persons as shall come under their control, as inmates, or employees:

**Proviso.** *Provided*, 'The same are not repugnant to this act, or the constitution and laws of the United States, or of this state: *And*

**Proviso.** *provided*, The same shall first have been submitted to, and approved by, the court of quarter sessions of Warren county.

**Reception, employment, &c., of indigent persons, relative to.** SECTION 8. The said directors shall, at all times, receive, provide for, and employ, according to the true intent and meaning of this act, and the existing laws of this commonwealth, relative to the poor, all such poor and indigent persons, as shall be entitled to relief, having gained a legal settlement in Warren county, or as shall be committed to their custody, by order, or warrant, for that purpose, under the hand of any acting justice of the peace, or by regular order of removal from any other county of this commonwealth, with the right of appeal, from any such order of removal; and they are hereby empowered, in the exercise of a humane discretion, to render temporary relief, to destitute strangers, suddenly disabled, by accident or disease; and when they shall deem it proper, and economical, to do so, they shall have



power to provide partial maintenance for poor persons, whose friends or relatives prefer to keep them elsewhere, at a less cost, than would be required to support them in the hospital.

SECTION 9. It shall be the duty of the said directors, to meet at the said hospital buildings, on the first Monday of every month, and as much oftener as the discharge of the duties, hereby enjoined, may require, to examine the premises, the apartments, and condition of the inmates, the quality, and quantity, of the food, and clothing, and other necessities, provided for them, to hear complaints, and redress grievances, between the inmates themselves, and between them and keepers, and officers, of the institution, correct abuses, and omissions of duty, prescribe punishments, extra relief, or in special cases, and exercise a general supervision, and control, over the management of the institution, its officers, and inmates; they shall have power to inquire into the legality of all commitments of persons to their charge, by the oaths of such, or other, persons, and to remove all cases of commitment, or removal, by magistrates, to the court of quarter sessions, of the respective county, by appeal, or *certiorari*, taken, within forty days next after the granting of such order, without the entry of bail; and the said directors are hereby empowered to administer oaths, to all persons in their custody, or employ, and in all matters relating to the business, and interests, of the institution.

Directors to meet monthly to examine premises, &c.

To inquire into the legality of commitments, &c.

May administer oaths.

SECTION 10. The said directors are hereby required, in the erection of buildings, for the use of the hospital, to provide certain apartments, with suitable safeguards, for the confinement of the insane poor, and the temporary confinement of refractory and insubordinate paupers, and to make suitable provisions, by the purchase of ground, to cultivate, the erection of workshops, and the procurement of the necessary implements, tools, and stock, so as to furnish all, who are able to work, with some appropriate employment; and by every means, that a proper regard to economy, and the welfare of the inmates, may suggest, to discourage idleness, dissipation, and vicious propensities, and to this end, they are to prohibit the introduction, or use, of any intoxicating liquors, as a beverage, upon the premises, or among the inmates, and shall furnish them with suitable reading matter, and religious instruction.

Apartment, for the confinement of insane poor, to be provided.

Work shops to be erected, &c.

Prohibition.

SECTION 11. The funds, in the hands of the treasurer of the Rouse estate, applicable to the support of the poor, shall be paid over to the treasurer of the hospital, upon orders drawn by the commissioners, as trustees of that estate, based on the estimates of the annual expenses of said institution, furnished as hereinbefore provided; and if, at any time, the said commissioners are dissatisfied with the estimates, so furnished, or upon failure of the directors to furnish such estimates, the court of quarter sessions, on application of said commissioners, shall appoint three judicious persons as inspectors, whose duty it shall be to go to the hospital premises, and, after examining into all the facts, make an estimate of all the expenses for the ensuing year, and report the same to the court for its confirmation, subject to exception by either party; and any expen-

Funds, in hands of treasurer of the Rouse estate, to be paid to treasurer of hospital, upon orders from commissioners.

In certain cases, court may appoint inspectors to make estimates of expenses.

Expenditures over estimates to be approved by county auditors.

Appeal.

Compensation of commissioners.

Penalty for violation of the provisions of this act, or neglect of duty.

County commissioners to act as directors until the election.

Notice to be given by directors, when the hospital is ready for use.

Removal of poor, relative to.

Repeal.

Settlement of accounts of overseers.

ditures, over and above such estimates, during each year, shall only be paid after they shall have been passed upon, and approved, by the county auditors; and from their report upon such, and all the accounts of the directors, either party may appeal to the court, in the manner allowed, by law, in other cases of accounts settled by the said auditors.

SECTION 12. The said commissioners shall receive, in full compensation for their services, as such, two dollars per day, for the first twenty days necessarily spent by them in discharging the duties of their office, each year, and mileage, at the rate of four cents circular, for all the necessary travel, and for all additional time required, one dollar and fifty cents per day, and mileage, as aforesaid; and any wilful violation of the provisions of this act, or any other acts of assembly, prescribing the duties to be performed by them, or any wilful omission to discharge the duties required of them by law, shall be deemed a misdemeanor in office, and on conviction therefor, upon indictment, they shall be punished by fine, or imprisonment, or both, at the discretion of the court; and in addition thereto, and also, in cases of presentment by the grand jury, and a summary hearing before the court, upon citation, which the court of quarter sessions are hereby authorized to institute, the court shall have power to depose any, or all, of said directors from their office, and supply their places by appointment, until the next general election, when others shall be elected to serve out their unexpired terms.

SECTION 13. That from the date of the passage of this act, until directors are duly elected, and qualified, the county commissioners of Warren county are hereby designated, and declared, to be the directors of the said hospital, for the support, and employment, of the poor of said county, and are invested with all the powers, and charged with all the duties, herein, or elsewhere, prescribed by law, as belonging to them; and they are authorized to borrow, and use temporarily, any funds arising from the Rouse estate, in the manner recommended by the grand jury, at the last March sessions, in said county, for the purchase of land, and the erection of buildings, for the accommodation of said hospital.

SECTION 14. As soon as said hospital is ready for use, and the reception of those for whose accommodation it was designed, it shall be the duty of the said directors to give notice, to all the officers in charge of the poor throughout the county, of a day certain, when the institution will be open for their reception, and to bring all such poor and indigent persons, as they have in charge, to the same; and it shall be the duty of the borough, and township, officers, as soon as practicable, at the proper cost, and charges, thereof, respectively, to take, and deliver, to said directors, all such persons as are then in their charge, as paupers, taking receipts therefor; and from thenceforth all laws, inconsistent with this act, in regard to the custody, and support, of the poor, are hereby repealed, so far as relates to the county of Warren, except so far as may be necessary, to close up the accounts between the boroughs and townships, and the several overseers of the poor, and pay up the indebtedness of said boroughs, and townships, on ac-

count of expenses previously incurred, under the poor laws; and, thereafter, the charge of all the poor in the county, and the expense of their support, and maintenance, and of the insane paupers, legally sent to any hospital, or asylum, out of the county, shall belong to, and be defrayed by, the said directors: *Provided*, That any surplus poor funds, in the hands of the overseers of any borough, or township, unexpended, when their poor shall be removed to the hospital, shall belong, and be paid over, to the road commissioners of said borough, or township.

Surplus funds to be paid to road commissioners.

SECTION 15. The general poor laws of this commonwealth, so far as applicable, and not inconsistent with the provisions of this act, shall be, and remain, in force in Warren county, substituting the name of this corporation for that of overseers of the poor, in the said several acts of assembly, and the duties, imposed by them, are hereby made applicable to the said directors: *Provided*, That the orders for the relief, commitment, or removal, of paupers to the hospital, shall be made by any one acting magistrate, who, on application of the said directors, within forty days from the date of any such order, shall grant a re-hearing, with notice to the pauper, or party, having made the application, and, upon proper cause shown, shall vacate the order, and thereupon the party shall be discharged.

General poor laws to remain in force.

Orders for relief, &c., how to be made.

SECTION 16. That the commissioners, of the Rouse estate, be and they are hereby authorized to invest any funds, arising from the sale of real estate, in the stocks, or bonds, of the United States, or of the state of Pennsylvania.

Commissioners to invest funds, arising from sale of real estate.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 376.

## An Act

To incorporate the Union Deposit and Swatara Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry R. Knotwell, Joseph Farnsler, Samuel Barrowe, George Landis, Joseph Knotwell, A. J. Hogentogler, and John Balsbaugh, of Dauphin county, or any three of them,

Commissioners.

Title.	be and they are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, by the name, style, and title, of the Union Deposit and Swatara Turnpike Company, to locate, and construct, a turnpike road from Union Deposit to Swatara station, in Dauphin county, subject to all the provisions, and restrictions, of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto, so far as they are not inconsistent with this, and the following, sections.
Subject to.	
Capital stock.	SECTION 2. That the capital stock, of said company, shall consist of two hundred and fifty shares, at twenty dollars per share; and the said company may, from time to time, at a meeting of the stockholders, called for that purpose, increase their capital stock to such an amount, as, in their opinion, may be required to complete the road, according to the true intent, and meaning, of this act.
May use parts of certain road.	SECTION 3. That the said company may use all, or such part, or parts, of the highway, between Union Deposit and Swatara station, as may be practicable, and for the interests of said company.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred sixty-four.

A. G. CURTIN.

No. 377.

## An Act

For the protection of trout in the county of Dauphin.

Catching, or killing, trout, within certain time, prohibited.

Penalty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from, and after, the passage of this act, it shall be unlawful for any person, or persons, to take, catch, or kill, any trout, in any of the streams of Dauphin county, from the first of September, until the fifteenth day of April, in each and every year.

SECTION 2. Any person, convicted of violating the first section of this act, shall forfeit, and pay, the sum of five dollars, for each and every offence, to be recovered before a justice of the peace, in and for said county, as debts of like amount are recoverable; said sum to be paid to the commissioners of

Dauphin county : *Provided*, That any person, or persons, convicted thereof, as aforesaid, who are unable, or unwilling, to pay the said fine of five dollars, and the costs, then the person, or persons, are to undergo an imprisonment, in the county jail, for the term of ten days : *Provided further*, That such prosecution shall be commenced, within twenty days after such offence shall be committed. Proviso.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 378.

## An Act

To open Ninth and Twenty-ninth streets, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That within one month after the approval of this act, the court of common pleas shall appoint three commissioners, whose duty shall be to lay out, and open, Ninth street, from Master street to Germantown road, and also, Twenty-ninth street, from Pennsylvania avenue to the Township Line road, in the city of Philadelphia; and all damages shall be assessed, as is now provided for by existing laws; and within one month after the confirmation of the report of the said commissioners, the chief commissioner of highways shall put the said streets in good traveling order.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 379.

*Supplement*

To an act to incorporate the village of Dunmore, in the county of Luzerne, into a borough, approved the tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the burgess and town council, of the said borough of Dunmore, shall have power, and are authorized, hereby, to levy, and collect, annually, for borough purposes, any tax, not exceeding one cent on the dollar, on the valuation, assessed for county purposes, as now is, or may be, provided by law; all property, offices, professions, and persons, made taxable by the laws of this commonwealth, for county rates and levies, shall be taxable, after the same manner, for borough purposes.

Borough tax.  
how levied, and  
collected.

Time of holding  
borough elec-  
tions fixed.

**SECTION 2.** That the annual spring election, for borough officers, as now provided by law, shall, after the year Anno Domini one thousand eight hundred and sixty-four, be held at the same place, now provided for, on the third Friday of March, of each and every year.

Repeal.

**SECTION 3.** That so much of the said original borough law, and the said act of incorporation, of said borough, herein otherwise provided for, or altered, inconsistent with this act, are hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 380.

*An Act*

To repeal the supplement to an act to encourage the destruction of noxious animals, in Lycoming and Clinton counties, and to amend the act approved the fourteenth day of February, Anno Domini one thousand and sixty.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the supplement to an act, entitled "An Act to encourage the destruction of noxious animals, in Lycoming, and Clinton counties," approved the nineteenth day of February, Anno Domini one thousand eight hundred and sixty-two, be, and the same is, hereby repealed: *Provided however*, That the amounts to be paid, under the provisions of the act, approved the fourteenth day of February, Anno Domini eighteen hundred and sixty, shall be, and are hereby, reduced to the sums hereinafter mentioned, namely: for the scalp of a full-grown, red or grey fox, one dollar; for the scalp of a full-grown wild cat, two dollars; for the scalp of a full-grown mink, thirty-seven cents; for the scalp of a full-grown skunk, twenty-five cents, and for the scalp or scalps of any of the before named animals, which are not more than half-grown, one-half of the above named sums, respectively, for each and every such scalp; and all of the other provisions of said act, not hereby altered, be, and the same are, hereby revived and re-enacted, and shall take effect from and after the passage of this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 381.

## An Act

To open Eighth street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That within one month after the approval of this act, the court of common pleas shall appoint three commissioners, whose duty shall be to lay out, and open, Eighth street, from Montgomery street to Germantown road, in the city of Philadelphia; and all damages shall be assessed, as is now provided for by existing laws; and within one month after the confirmation of the report, of the said commissioners, the chief commissioner of highways shall put the said street in good traveling order.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 382.

*An Act*

To repeal an act to authorize the court of quarter sessions of Erie county, to appoint viewers, to view and lay out a road, from the east end of Third street, in the borough of Waterford, in the county of Erie, to the depot at the Philadelphia and Erie railroad, which became a law January thirteen, one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act to authorize the court of quarter sessions, of Erie county, to appoint viewers to view, and lay out, a road, from the east end of Third street, in the borough of Waterford, in the county of Erie, to the depot of the Philadelphia and Erie railroad, which became a law on the thirteenth of January, one thousand eight hundred and sixty-four, be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 383.

*An Act*

To provide for the election of auditors in the borough of Middletown, in the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the qualified voters of the borough of Middletown, in the county of Dauphin, shall, at the ensuing borough election, elect three reputable persons, (one from each ward,) to serve



as borough auditors, for two years, and their successors shall be elected bi-ennially.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 384.

## An Act

Relating to the Ebensburg and Susquehanna Plank Road.

WHEREAS, The Ebensburg and Susquehanna plank road has become unfit for travel, and there are no funds to keep it in repair: Preamble.

*And whereas,* It is necessary, and important, to the inhabitants residing along, and in the vicinity of, the said road, that it be kept in a condition to be traveled; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That it shall be the duty of the supervisors of each township, through which the Ebensburg and Susquehanna plank road passes, and they are hereby authorized, and empowered, forthwith, to take charge of, and put in good order, and repair, such part of said plank road as may be in their respective townships, and, from time to time, maintain, and keep in order, all such parts of said road, in the same manner as if the same were a county road; and in case of a failure to do so, said supervisors shall be liable to all the provisions of law which relate to county roads.

Supervisors to take charge of, and put in repair, the road.

SECTION 2. That the said Ebensburg and Susquehanna plank road shall be considered a county road, free of all tolls; and should the said Ebensburg and Susquehanna Plank Road Company, hereafter, claim the right to resume the control of said road, the said company shall first pay to the supervisors of the townships, through which said plank road passes, for the use of each of said townships, all such sums of money, and for all labor, by each, expended in keeping their respective parts of such road in repair, and good order; and each of said supervisors shall keep an accurate account, in a book for that purpose, of all such expenditures in money, and labor, and, at the expiration of their respective terms of office, deliver the

To be a county road.

Conditions, upon which, the control of the road may be resumed by company.

Proviso.

same to their respective successors in office: *Provided*, That the right of said company, to resume the possession, and control, of said road, shall be forfeited, unless said right, to resume, is claimed, within three years from the passage of this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 385.

## A Supplement

To the act incorporating the United Presbyterian Board of Publication, approved April fourteenth, one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Board of managers, election of.

Official term of present board, relative to.

Repeal.

That the business of the United Presbyterian Board of Publication shall be under the control, and management, of a board of nine managers, five of whom shall constitute a quorum; the said managers shall be elected by the general assembly of the United Presbyterian church, and shall hold their office for three years; but the term of office of the present board shall expire as follows: the three first named, in one year from the time of their election; the next three, in two years, and three members shall be elected, hereafter, annually.

SECTION 2. So much of the sixth section of the act, to which this is a supplement, as is inconsistent herewith, be, and the same is, hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 386.

## An Act

Supplementary to the act of twenty-second April, eighteen hundred and sixty-three, relative to the Western Pennsylvania Hospital.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the provisions of the third section of the act, to which this is a supplement, shall apply to the case of any person, confined in the common jail of any of the counties, mentioned in the eighteenth section of said act, by the sentence or order of any court of competent jurisdiction, in any such county, and who shall not be under sentence of death : *Provided*, That the principal physician, of the insane department of the Western Pennsylvania Hospital, shall deem such person to be insane, and a fit subject for treatment in said hospital, and that the order for the removal of such insane criminal shall be approved by the court, by which he or she was sentenced, or by one of the judges thereof.

Provisions relative to removal of insane from jails, to whom to apply.

Proviso.

SECTION 2. That when any insane person shall have been committed to said hospital, by any court having authority so to do, or has been removed thither from the Western State Penitentiary, under the provisions of act of assembly of this commonwealth, of twenty-fourth of March, one thousand eight hundred and fifty-eight, or from the common jail of any county in this commonwealth, as provided by the first section of this act, and the term of sentence of such criminal shall expire while he or she is still an inmate of said hospital, the county, from which such insane criminal was committed to said penitentiary, jail, or hospital, shall be liable to pay for the medical attendance, maintenance, and clothing, of such insane person, for so long as he or she shall remain in said hospital; and in case of his or her death, or removal therefrom, the funeral expenses, or expenses of removal, as the case may be.

Counties liable for all expenses, in certain cases.

SECTION 3. That in all cases in which, by the act to which this is a supplement, the amount to be charged by the Western Pennsylvania Hospital, for indigent insane persons, is fixed at two dollars and a half per week, the price so fixed shall not be construed to include the cost of clothing furnished by said hospital, to such insane patients, but the said hospital shall be entitled to receive, in addition to said charge, the cost of all clothing so furnished.

Cost of clothing, relative to.

SECTION 4. That all writs issued by the court of common pleas, or district court of Allegheny county, in any suit brought against any county, city, or township, by the said hospital, shall be directed to the sheriff of the county, against which, such suit is instituted, or to which, such city or township belongs, and shall be served, or executed, by such sheriff, according to the exigency thereof; and such sheriff shall make

Writs issued to be directed to sheriffs of the respective counties.

return thereof, without delay, according to law, to the office of the prothonotary of the court, from which the same were issued.

Thirteenth section amended.

SECTION 5. That the thirteenth section of the act, to which this is a supplement, is hereby amended, by substituting the word "whether," in lieu of the word "whenever," where it occurs after the word "due," in the latter part of said section.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 387.

## A Supplement

To an act concerning the sale of railroads, canals, turnpikes, bridges, and plank roads, approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That whenever any railroad, canal, turnpike, bridge, or plank road, of any corporation, created by, or under, any law of this state, shall be sold, and conveyed, by an assignee, or trustee, of the property of such corporation, as such, constituted for the use, or benefit, of all the creditors thereof, such sale, and conveyance, shall confer the same privileges, and impose the same duties, and restrictions, upon the person, or persons, for, or on whose account, the same may be purchased, and otherwise operate, in all respects, as is provided in the said act, to which this is a supplement, in regard to any sale, or conveyance, under, or by virtue of, any process, or decree, of any court.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 388.

## An Act

To lay out a State road in Cameron and Clinton counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Floyd, of Cameron county, and Benjamin W. Morrison, and Seth Nelson, of Clinton county, be and are hereby appointed commissioners, to view, and lay out, and mark, a state road, leading from Grove station, on the Philadelphia and Erie railroad, in Grove township, in Cameron county, to the Birch Island bridge, in Keating township, in Clinton county. Commissioners. Location.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taking an oath, or affirmation, before a justice of the peace, to perform the duties enjoined upon them, by this act, with fidelity, and impartiality, to carefully view the ground, on which said road may pass, and lay out, and mark, the same upon the ground, on the route agreed on by them, in such manner as to enable the supervisors, readily, to find the same; and the said commissioners, or a majority of them, are hereby enjoined to employ two chain carriers, and one axe-man, at a per diem allowance, not exceeding one dollar and fifty cents each; and the said commissioners, respectively, shall receive a per diem allowance, not exceeding two dollars, for each day necessarily employed in the discharge of the duties enjoined by this act, which shall be paid by the treasurers of the counties, through which the road may be laid out, upon the rendition of the accounts of said commissioners, in proportion to the time employed in each county: *Provided*, That if Benjamin W. Morrison perform the duties of surveyor, he shall receive an additional compensation of two dollars per day. Duties of commissioners. Compensation of chain carriers, &c. Surveyor.

SECTION 3. That it shall be the duty of the commissioners to make out two fair, and accurate, drafts of the location of said road, noting the courses, and distances, with such other matters as may serve for explanation, one copy to be deposited in the office of the clerk of the court of quarter sessions, in the respective countive counties, through which the road may pass, on, or before, the first day of October next; and, from thenceforth, the road shall be a public highway, and shall be opened to a width of thirty-three feet. Drafts.

SECTION 4. That it shall be the duty of the supervisors, or commissioners, of the several townships, through which the said road may pass, upon a notice being given, to proceed to open, and make, said road, under the same provisions as if said road had been laid out by the respective courts of quarter sessions: *Provided*, That the supervisors, or commissioners, of the several townships, through which the road may Duty of supervisors.

Tax upon unseated lands authorized.

pass, are hereby empowered, and directed, to levy, and collect, a tax of five mills on the dollar, according the valuation for county rates, upon the unseated lands in said townships, for the purpose of opening, and making, said road.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 389.

## A Supplement

To an act to incorporate the Young Men's Mercantile Library Association, and Mechanics' Institute, in the city of Pittsburg.

Trustees appointed to invest donations, &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas M. Howe, John H. Shoenberger, William M. Lyon, William K. Nimick, George W. Cass, James M'Caulley, and Felix R. Brunot, and their successors, are hereby appointed trustees, to have the charge of, and to invest, the donations, bequests, and other sums of money, which may hereafter accrue to the permanent fund of the Young Men's Mercantile Library Association, and Mechanics' Institute, in the city of Pittsburg, and shall pay over, annually, the income of said fund, to the treasurer of said institute, unless otherwise ordered by the donors or devisors thereof; and the said trustees shall have power to fill vacancies occurring in their body, with the assent of the board of managers of the institute, and shall not be held responsible for losses incurred in the performance of the duties hereby imposed: *Provided nevertheless,* That any donor, or devisor, may appoint his, or her, own trustees, or designate the person, or persons, who shall expend the interest of the fund, he, or she, may create, for the benefit of their library, or designate the kind of book, which shall be purchased therewith.

Proviso.

Property of association exempt from taxation, except for state purposes.

SECTION 2. For the encouragement and fostering of institutions for the education and elevation of the people, the real and personal property of the Young Men's Mercantile Library Association, and the Mercantile Library Hall Company, of Pittsburg, is hereby exempted from taxation, except for state purposes.

SECTION 3. Any person who shall contribute, or devise, by Contributions will, to the Young Men's Mercantile Library Association and and devises, Mechanics' Institute, the sum of three thousand dollars, or relative to. more, shall found thereby a fund, which shall be designated, in perpetuity, by the name of said donor, or devisor, and the income thereof expended for the increase and preservation of the library; or such person may found an alcove, or department in the library, which shall, thereafter, in perpetuity, be designated by the name of the founder; and, hereafter, all sums received for life-memberships shall form a part of the Life member-permanent fund, the interest to be expended for the purposes ships. of the association.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 390.

## An Act

Relative to plank roads in the county of Crawford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the plank roads, in the county of Crawford, which have been abandoned, or that may hereafter be abandoned, shall be under the charge of the supervisors of the respective townships, through which such roads pass; and the supervisors shall repair, and exercise, the same authority, over them, that they do over other roads; and the court of quarter sessions, of said county, shall have the same jurisdiction over such abandoned plank roads, that they have over other roads.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 391.

**An Act**

To increase the rates of taxation for road purposes in Polk township, Jefferson county, and for the pay of supervisors.

Supervisors authorized to levy road tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the supervisors of the township of Polk, in the county of Jefferson, shall have full power and authority to levy, and collect, annually, as road tax, not exceeding fifteen mills on the dollar, upon all the real and personal estate, which, by existing laws, is taxable for road purposes.

Pay of supervisors.

SECTION 2. That, hereafter, the per diem allowance to, and pay of, the supervisors of roads, in said township of Polk, in Jefferson county, shall be two dollars.

Repeal.

SECTION 3. All laws, inconsistent herewith, are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 392.

**Supplement**

To an act incorporating the borough of Minersville.

Number of councilmen fixed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from, and after, the next ensuing election, of the borough of Minersville, in the county of Schuylkill, the town council, of said borough, shall consist of ten councilmen, instead of nine, as now provided by law; and that five of said councilmen shall be elected, by the qualified voters of the East ward of said borough, and the other five, of said councilmen, shall be elected by the qualified voters of the West ward, of the said borough, as follows, to wit:



SECTION 2. That at the next ensuing election, of the borough Election of. of Minersville, and annually, thereafter, as often as vacancies shall occur, either by death, resignation, or otherwise, in the town council of said borough, the qualified voters of the West ward, of said borough, shall elect, by ballot, the number of councilmen required to fill such vacancies, until they shall have elected five men to said town council; and, thereafter, said East ward, of said borough, and the said West ward, in said borough, shall be equally represented in said borough council; and the president of said town council shall not have a vote, unless when the council are a tie, and, in that case, he shall give the casting vote.

SECTION 3. That the qualified voters of the West ward, of Election of said borough, shall also elect an equal number of school di- school direc- rectors, as the East ward of said borough; and whenever the term of office of any school director, or school directors, shall expire, either by the limitation thereof, or by death, resignation, removal, or otherwise, said vacancy, or vacancies, shall be filled by the qualified voters of the West ward, by ballot, by a person, or persons, qualified, who shall reside in the West ward of said borough, at the next ensuing election of said borough, and annually, thereafter, until the number of school directors elected, and residing in the West ward, shall be equal to the number residing in the East ward, of said borough; and the number of school directors shall always be, thereafter, the same, in both wards, in said borough.

SECTION 4. That all laws, and parts of laws, inconsistent Repeal. with the foregoing provisions, be and the same are hereby repealed, so far as relates to said borough.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 393.

## An Act

Authorizing the payment to Joseph Taylor, of Chester, Chester county, of the amount due his son, Colonel Charles Frederick Taylor, deceased, under the act of April sixteenth, Anno Domini one thousand eight hundred and sixty-two, and supplement thereto.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the state treasurer be, and is hereby, authorized and required, to pay to Joseph Taylor, of Chester county, father of Colonel Charles Frederick Taylor, First regiment of Pennsylvania Rifles, (Bucktails,) who was killed at the battle of Gettysburg, July third, one thousand eight hundred and sixty-three, the sum of eighty-eight dollars and thirty-six cents, that being the amount of pay due Colonel Taylor from the state of Pennsylvania, under the provisions of act of April sixteenth, one thousand eight hundred and sixty-two, entitled "An Act to provide for the adjudication and payment of certain military claims," and a supplement thereto, approved twenty-second day of April, one thousand eight hundred and sixty-three.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 394.

## An Act

To levy and collect an additional tax in the borough of Franklin, Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the burgess and town council of the borough of Franklin, Venango county, are hereby authorized to levy, and collect, an additional tax to that now authorized by law, for the present year, for borough purposes, not to exceed ten mills on the dollar.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 395.

*An Act*

To extend to the county of Bucks the provisions of an act relative to the draining of wet and spouty lands.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relative to the draining of wet and spouty lands, in certain counties," approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-three, be and the same are hereby made applicable, in all its provisions, to the county of Bucks.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 396.

*An Act*

To legalize the levy and collecting of taxes in the borough of Wellsboro', in Tioga county.

WHEREAS, The burgess and town council of the borough of Preamble. Wellsboro', in the county of Tioga, did, on or about the first day of January, Anno Domini one thousand eight hundred and sixty-one, contract debts for the purchase of a fire-engine, hose-cart, hose, et cetera, and for the erection of an engine-house, in said borough, amounting to the sum of one thousand dollars, or thereabouts, and, to secure the same, issued certificates of indebtedness therefor, and to pay the same, did, on the fourteenth day of April, Anno Domini one thousand eight hundred and sixty-two, levy a tax of one-half of one per cent. on the dollar, of the valuation of said borough, in addition to the usual borough and poor taxes:

*And whereas,* Doubts are entertained in reference to the power of the said burgess and council to levy and collect said

tax, for the payment of said debts, in addition to the usual borough and poor taxes; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Engine tax,  
heretofore le-  
vied, legalized.

That the engine tax, levied by the burgess and council of the borough of Wellsboro', Tioga county, Pennsylvania, on the fourteenth day of April, Anno Domini one thousand eight hundred and sixty-two, for the payment of debts contracted in the purchase of a fire-engine, hose-cart, and hose, and the erection of an engine-house, be, and it is hereby declared to be, valid and effectual, and collectable, in the same manner that borough taxes are by law collectable.

Council autho-  
rized to levy an  
engine tax, an-  
nually, until  
debt paid.

**SECTION 2.** That the burgess and council of said borough shall have power to levy and collect, annually, an engine tax, not exceeding one-half of one per centum, on the valuation, until the debts contracted as aforesaid, together with the interests, and costs, thereon, shall be fully paid; and that the warrant and duplicate, issued for the collection of said tax, are hereby renewed, and made valid, for two years, from the first day of April, Anno Domini one thousand eight hundred and sixty-four, as fully as though the same had been properly and legally issued, even date, with the passage of this act: *Provided*, That any person having paid said tax, or any portion thereof, shall be credited for the same on said duplicate.

Proviso.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 397.

## An Act

Declaring Dent's run, in Elk county, a public highway.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That Dent's run, in the county of Elk, be and the same is hereby declared a public highway, from its mouth to the

sources thereof, for the passage of logs, lumber, rafts, boats, and vessels.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 398

## An Act

Authorizing the commissioners, of Jefferson county, to levy an additional tax, for the purpose of building a court house, and to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners, of the county of Jefferson, are hereby authorized, and empowered, to levy, and collect, a tax, in addition to the tax now authorized by law, not exceeding five mills on the dollar, of the valuation assessed for county purposes, for a period not exceeding five years, for the purpose of building a court house in said county; and that the said commissioners be authorized to borrow money for the said building purposes, and issue bonds for the same.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 399.

*An Act*

Authorizing the borough authorities to lease a market lot in Clearfield borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council, of the borough of Clearfield, may, by the votes of a majority of the council, demise, and lease, the lot of land in said borough, known as the market lot, for a term of years, or at will, in such manner, for such time, and upon such terms, as they may deem most advantageous for the interest of the said borough.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 400.

*Supplement*

To an act, entitled "An Act relating to the sale and conveyance of real estate," approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for trustees, guardians, committees, married women, and corporations, in addition to the powers conferred by the seventh section of the act, to which this is a supplement, under the decree of the proper court, and with the like effect, and indemnity to them, in acting thereunder, to make, and take, or to join, with owners of other undivided interests, in making, and taking, conveyances, by deed acknowledged in court, and without public sale, in order to change,

in part, or in whole, the route, or location, of any right of way, or passage, existing over, and upon, adjoining, or other, lands: *Provided*, The court shall be of opinion, that is for the interest, and advantage, of the owner, or owners, of the land, to which such right of way is appurtenant, that such change of route, or location, be made: *And provided further*, That it shall be in the discretion of the court, in such cases, to require security, or not, from the person, or persons, aforesaid, making, or taking, such conveyances.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 401.

## An Act

To incorporate the Gettysburg and Emmitsburg Turnpike company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Rhodes, Samuel S. M'Nair, Daniel Sheets, Samuel Moritz, Joshua Brown, Jacob Myers, James Bigham, Joseph P. M'Devitt, Abraham Krise, John L. Tate, George W. M'Clellan, or any four of them, be and are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, by the name, style, and title, of the Gettysburg Title, and Emmitsburg Turnpike Company, with power to construct a turnpike or plank road, or part turnpike, and part plank, from the town of Gettysburg, in Adams county, to the Maryland state line, on the road, leading from Gettysburg to Emmitsburg, subject to all the provisions, and restrictions, of an act, entitled "An Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as they are hereby altered or supplied.

SECTION 2. That the capital stock of said company shall consist of one thousand shares, of fifty dollars each share: *Provided*, That said company may, from time to time, by vote of the stockholders, at a meeting, called for that purpose, increase their capital stock so much, as in their opinion, may

be necessary to complete the said road, and carry out the true intent and meaning of this act.

Authorized to use streets, or roads.

SECTION 3. That it shall be lawful, for the said company, to use the whole, or any part, of any public street, or road, and locate their road, upon the ground, occupied by any public street, or road; and the courts of quarter sessions, of the county, in which the road of said company is located, shall appoint viewers, to view, and vacate, such parts of any public road, as shall be used, or rendered unnecessary, by the construction of the said company's road, as is provided by the general road laws of this commonwealth, in the cases of roads which have become useless.

Rates of tolls.

SECTION 4. That the president and managers, of said company, shall have power to establish, and regulate, rates of tolls, not exceeding the rates established, by the acts hereinbefore mentioned, and to erect toll-gates, and collect tolls, whenever one mile of their road shall have been completed.

When tolls may be received.

May borrow money.

SECTION 5. That the said company shall have power to borrow money, at any rate of interest, not exceeding eight per centum per annum, for the purpose of completing their road, and issue bonds therefor, and secure the same by mortgage of their roads and franchises.

Repeal.

SECTION 6. That all acts, or parts of acts, inconsistent with the rights and franchises hereby granted, be, and the same are, hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 402.

## A Supplement

To an act for the changing of the boundary line, between the borough of Jamestown and Crawford county, approved the twentieth day of April, Anno Domini one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the north-eastern line of the borough limits, of the borough of Jamestown, be changed, so as to extend from the Mercer and Crawford county line, north, along the west line



of the Gambell tract, to intersect the present north line of said borough, and that the Gambell tract be returned back into South Shenango, Crawford county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 403.

## An Act

To provide for the appointment of a fire marshal for Allegheny county.

WHEREAS, Many fires, which are believed to have been caused by incendiaries, have lately occurred in Allegheny county, by which, property of great value has been destroyed : Preamble.

And whereas, It is believed that many persons, guilty of the crime of arson, in said county, have escaped detection, and conviction, on account of there being no person, in said county, whose duty it is to make the investigations necessary to ascertain the origin, and causes, of fires, occurring therein ; now, therefore, in order to facilitate the detection, and conviction, of such criminals, and for the better preventing the crime of arson, and to render the property, in said county, more secure from destruction, by fires caused by incendiaries :

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the court of common pleas, of Allegheny county, shall, as soon as practicable, after the passage of this act, and on the fourth Monday of March, in every year, thereafter, appoint a citizen, of said county, to serve as fire marshal of said county, for the term of one year from that date, and until his successor shall be appointed, and qualified, if he shall so long faithfully perform the duties of his office, whose salary shall be ten dollars per annum, to be paid quarterly out of the treasury of the said county ; and the said court may, if the public interest demand it, at any time, upon the application of any freeholder of the county, remove the incumbent of the office ; and if, at any time, during any term, the said office shall, from any cause, become vacant, the said court shall, as soon thereafter as practicable, appoint a citizen, of said county, to fill such vacancy, Fire marshal to be appointed by court of common pleas.

during the remainder of such unexpired term. Term, and salary, of.

Vacancy.

To give bond.

SECTION 2. Before entering on the duties of his office, the fire marshal shall give bond, in the sum of ten thousand dollars, with sufficient sureties, to be approved by the court of common pleas of said county, conditioned for the faithful performance of his duties; and he shall also take, and subscribe, an oath, or affirmation, before said court, well and faithfully to perform his duties as fire marshal; and said bond, and oath, or affirmation, shall be entered on record, in the recorder's office, of said county, and shall be filed in the office of the prothonotary of said court; and the record copy thereof shall be admitted, and used, in evidence, in all judicial proceedings, with the same effect as the originals.

Oath to be taken.

Powers and duties of.

SECTION 3. The fire marshal shall attend, if practicable, all fires occurring in said county, and shall endeavor to save, and protect, from the fire, all property in danger therefrom, and to protect such property from loss by pillage, and theft, and from injury, and destruction, in any manner; and he shall have power to take any measures he may deem proper, and expedient, for that purpose; and he shall also have power to call upon any constable, policeman, or citizen, of any city, ward, borough, or township, in said county, to aid and assist him, in protecting and saving property, as aforesaid, and to aid and assist, in carrying into execution any measures he may deem proper, and expedient, as aforesaid; and he shall investigate, and, if possible, ascertain, the origin, and cause, of every fire occurring in said county, the nature, and value, of the property injured, or destroyed thereby, whether said property was insured, or not, and, if insured, the amount of such insurance, by whom effected, for whose benefit, and by whom the risk was taken, the names, and places of residence, of the owner, or owners, and of all parties interested in the property injured, or destroyed, and the nature, and amount, of such interest.

Investigations, proceedings therein, relative to.

SECTION 4. If, in any investigation, it shall appear to the fire marshal, from the evidence before him, that any building, or other property, in said county, has been wilfully set on fire, by any person, or persons, he shall, in such case, have the same power to issue a warrant, directed to any constable, of any ward, borough, or township, of said county, for the arrest of such person, or persons, and their accessories, and to commit them for trial, or take bail for their appearance, as a justice of the peace, of the county, would have, upon information made before him, setting forth the same facts as appear in evidence before the marshal; and, in such case, the said fire marshal shall proceed in the same manner as a justice of the peace is required, by law, to do, and with the same powers as he would have, after an information duly made before him.

Authorized to administer oaths, compel the attendance of witnesses, &c.

SECTION 5. The fire marshal, in order to enable him to discharge the duties required of him, in the foregoing section, shall have power to administer oaths, and affirmations, in the discharge of the duties of his office; and a wilful violation of any oath, or affirmation, so administered by him, or wilfully, and knowingly, giving false testimony before him, shall be perjury; and he shall have power to compel the attendance of any person whom he may desire to examine, in relation to any fire, by subpoena, and attachment; and if any person shall

refuse to be sworn, or affirmed, or to testify, in relation to any of the matters, in regard to which, it is the duty of the fire marshal to make investigation, or shall refuse to produce, before the fire marshal, any books, papers, or documents, in their possession, which the said marshal may deem necessary to enable him to ascertain the truth, in any investigation, then being made by him, the said marshal shall have power to commit such person to the common jail of Allegheny county, until such person shall be willing to, and shall, be sworn, or affirmed, or testify, or produce the books, papers, and documents, as the case may be, and no longer : *Provided*, That no testimony, taken under oath, or affirmation, before the fire marshal, as aforesaid, shall be used in evidence against the party giving it, in any civil, or criminal, proceedings whatsoever, except in prosecutions against such party for perjury. Proviso.

SECTION 6. Any constable, policeman, watchman, or citizen, who shall refuse, or neglect, to obey the orders, or directions, of the fire marshal, when called upon by him to aid, or assist, in saving, or protecting, any property, at any fire, or any constable, who shall refuse, or neglect, to execute any warrant of the fire marshal, directed to him for the arrest of any person, for the crime of arson, or any person, or persons, who shall wilfully hinder, or obstruct, or attempt to hinder, or obstruct, the fire marshal, in the performance of his duties, shall be guilty of a misdemeanor, and, upon conviction thereof, in the court of quarter sessions, of said county, shall be punished by a fine, not exceeding fifty dollars, and imprisonment in the county jail, for a term not exceeding one year. Penalty for refusal of constables, policemen, &c., to obey orders of marshal.

SECTION 7. The fire marshal shall keep an office, in the city of Pittsburg, which shall be kept open during business hours, each day, and he shall keep a record of all fires occurring in the said county, which record shall show the result of his investigations, in relation to each fire, and which shall be open to the public for examination ; and he shall also keep on file, in his office, all depositions, and notes of testimony, taken by him, in the discharge of his duties, which any person, desirous of so doing, shall be permitted to examine, and take copies of, upon payment, by them, to the said marshal, of the fee of fifty cents for such examination ; and he shall also, on the fourth Monday of March, in each year, make report, in writing, to the court of common pleas of Allegheny county, of his proceedings as fire marshal, during the year preceding his report, which report shall be published at the expense of the county, and shall be filed among the records of said court. Office.  
Record of fires to be kept, &c.  
Annual report.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 404.

## An Act

Relative to the destruction of deer in Clearfield county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That all the provisions of the act of this general assembly, entitled "An Act to prevent the destruction of deer in certain counties of this commonwealth," approved the thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine, be and the same are hereby extended to the county of Clearfield.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 405.

## A Further Supplement

To an act to incorporate the city of Philadelphia, passed February second, one thousand eight hundred and fifty-four, relative to the election of school directors.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the twentieth section, of the above act, is hereby amended, to entitle the qualified voters, in the Twenty-first ward, of said city, to elect eighteen citizens, qualified to serve as members of the Senate of this commonwealth; six of whom shall be elected to serve for one year; six, for two years, and six, for three years, as directors of the public schools; said directors to be elected at the next election, held for city officers; and annually, thereafter, the qualified voters of the said Twen-

ty-first ward shall elect six citizens, of like qualifications, to serve as directors of the public schools, for three years.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 406.

## An Act

To amend and alter the act incorporating the Franklin Institute of the State of Pennsylvania, for the promotion of the mechanic arts.

WHEREAS, The act, approved March thirtieth, one thousand eight hundred and twenty-four, incorporating the Franklin Institute of the State of Pennsylvania, for the promotion of the mechanic arts, has been found insufficient, and inconvenient, for accomplishing the objects of said corporation; and the said corporation has applied for alteration and amendment thereof:

Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the present members of said corporation, and all such persons, as may hereafter become members thereof, shall be and are hereby created a body politic, and corporate, by the name of the Franklin Institute of the State of Pennsylvania, for the promotion of the mechanic arts, and shall have perpetual succession, be able to sue, and be sued, to plead, and be impleaded, to have, and use, a common seal, and the same to break, alter, and renew, at pleasure, and shall be able to take, hold, purchase, and enjoy, such real, and other estates, of any nature or kind, whatsoever, as they may obtain, by purchase, devise, bequest, or gift, and the same, at their pleasure, to sell, lease, mortgage, pledge, encumber, or dispose of, as they may deem proper, or convenient, for promoting the objects of the said corporation; and the said corporation shall have the like power over any real, or other, estates, now owned or held by them: *Provided*, That the clear yearly value of the real estate, at any time held by them, shall not exceed ten thousand dollars.

Incorporation.

Name.

Privileges.

Real estate.

Proviso.

SECTION 2. That it shall be lawful for the said corporation, to raise funds, for the payment of its present indebtedness,

Payment of present indebtedness, relative to. Shares of stock, transferable.

and for all other purposes of the said corporation; to create, and sell, such number of shares of stock, at ten dollars each, as may be deemed proper, to represent the estates of the said corporation; and the certificates for such stock, shall be in such form, be transferable in such manner, subject to such payments, and entitle the holder thereof to such privileges, as the said corporation may, by its by-laws, in reference to such stock, grant and direct.

Object.

SECTION 3. The object of the said corporation shall be, the promotion and encouragement of manufactures, and the mechanic and useful arts, by the establishment of lectures, on the sciences connected with them, by the formation of cabinets of models, minerals, machines, materials, and products, by exhibitions, and premiums, by a library, and by all such measures, as they may judge expedient.

Membership.

SECTION 4. The members of the said corporation shall consist of manufacturers, mechanics, artizans, and persons friendly to the mechanic arts, and of such stockholders in said corporation, as may, by the by-laws, be entitled to the privileges of members; and every member shall pay such sum, for an annual or life subscription, as the by-laws of said corporation may require; and honorary and corresponding members may be elected, at such times, and in such way, and with such privileges, as said corporation may deem expedient.

Management.

SECTION 5. The said corporation shall be managed in such way, and by such number of officers, managers, and other persons, as the by-laws may prescribe; and the powers and functions of such officers, managers, and other persons, the rights and duties of members, the manner of their election, and the causes which may justify their expulsion, or suspension, and all other concerns of the said corporation, shall be fixed, and regulated, by its by-laws; which by-laws shall be adopted by said corporation, at the first monthly meeting after the acceptance of this amended charter; and said by-laws shall be altered, and amended, only in the manner provided in said by-laws, as then adopted.

Repeal.

SECTION 6. So much of the act, to which this is a supplement, as is inconsistent herewith, is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 407.

*An Act*

To authorize John Spear Smith, and others, to make, and take, certain conveyances.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of carrying out the terms of a certain compromise, and agreement, dated the fourth day of April, Anno Domini one thousand eight hundred and fifty-one, made by, and between, the parties hereinafter named, for adjusting their adverse claims upon three tracts of land, situate in the county of Schuylkill, in the state of Pennsylvania, [surveyed on warrants, respectively, to Robert Kincar, Sophia Meyer, and Christeny Lavenburg,] John Spear Smith, trustee, appointed by the orphans' court of Schuylkill county, aforesaid, in place of Isaac M'Kim, resigned, who was trustee for Rebecca Hollins, under the will of Cumberland Dugan, deceased, William M'Kim, trustee for Rebecca Hollins, under a certain deed made, and executed, by Margaret Dugan, dated March twenty-fifth, one thousand eight hundred and forty-one, recorded in Schuylkill county, aforesaid, in deed book, number sixty-eight, page twenty-seven, et cetera; and, also, trustee under the will of Cordelia Margaret Hollins, deceased, Robert S. Hollins, trustee for Jane Nicholas, under a certain deed of marriage settlement, dated February seventh, one thousand eight hundred and forty-nine, recorded in Schuylkill county, aforesaid, in deed book, number sixty-eight, page twenty-four, et cetera, and Emily Dugan, trustee, and guardian, under the will of Emily J. Ward, deceased, [the said persons, above named, being devisees of said Cumberland Dugan, deceased, or those claiming under him,] are hereby authorized, and empowered, to make conveyance of the respective interests, which they may represent under said wills, and deeds, of, and in, one full, equal, undivided, moiety of the tracts of lands, above mentioned, to William S. Vaux, surviving executor of the last will and testament of George Vaux, deceased, Charles Dutilh, surviving executor of the last will of Charles Graff, deceased, John T. Montgomery, administrator *de bonis non cum testamento annexo*, of Samuel Mifflin, deceased, Charles H. Cheyney, and Thomas Williamson, surviving executors of the last will of Jacob Mayland, deceased, James W. Paul, Isaac Starr, Thomas Adams, Isaac Eckert, George N. Eckert, Mary Eckert, Susan B. Good, and Eliza E. Benson, and the said executors, and administrators, are hereby authorized, and empowered, to take, and receive, such conveyances, with like effect, as to their several powers of management, sale, and otherwise, as if said real estate was devised by said wills, respectively; and the said William S. Vaux, surviving executor, aforesaid, and

Charles Dutilh, surviving executor, aforesaid, John T. Montgomery, administrator, aforesaid, Charles H. Cheyney, and Thomas Williamson, surviving executors, aforesaid, are hereby authorized, and empowered, to make conveyance of the respective interests, which they may represent under said wills, of, and in, the other undivided moiety of the said tracts of land, to John Spear Smith, trustee, aforesaid, and the present devisees, of the said Cumberland Dugan, deceased, or those claiming under him, according to their respective rights, and interests therein, and they are authorized to accept, and receive, such conveyances.

SECTION 2. That the execution, and delivery, of the conveyances, authorized by this act, shall operate, and be deemed, in law, to pass to the grantees, named in the said conveyances, an absolute, and indefeasible, title, in fee simple, to the interest, or interests, of all parties, *cestuis que trust*, or beneficiaries, who may have a present, or expectant, estate, legal, or equitable, in the said lands, or portions thereof, so mentioned, or intended, to be conveyed, and for whose use, the said trustees, guardians, or executors, and administrators, may, respectively, be entitled, or claim to be entitled, to hold any seizin, or interest, in said lands, according to the purport of said conveyances, respectively.

SECTION 3. That the powers granted by this act, to the parties above named, as executors, trustees, guardians, or administrators, shall, in the event of the death, or discharge, of any of them, prior to the consummation of said conveyances, vest in such persons, as may be appointed, by due process of law, as their successors in office, respectively.

SECTION 4. That the said executors, trustees, guardians, or administrators, may also take, and receive, such conveyances, from other parties, than those hereinbefore named, for any estate, and interest, in said lands, which may be necessary to perfect the title thereto, with like effect, as to their powers of sale, management, and disposition, thereof, as if said conveyances had been made to the respective testators, whom they respectively represent.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 408.

**An Act**

Authorizing the re-settlement of the accounts of John Care, late treasurer of Dauphin county.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That the several accounts of John Care, late county treasurer of Dauphin county, now pending, on appeal, in the court of common pleas of Dauphin county, numbers one hundred and three, August term, eighteen hundred and sixty-three, and one hundred and sixty-two, August term, eighteen hundred and sixty-one, are hereby referred to the present board of auditors, for said county, who are hereby required, immediately after the passage of this act, to re-audit the same; and their report, if not appealed from, shall have the same effect upon the parties interested, and with the same right of appeal, as now provided by law.

Accounts, now pending on appeal, referred to county auditors, for re-audit.

*SECTION 2.* That the auditor general, and the state treasurer, be and they are hereby authorized, and required, to re-audit, and settle, the accounts of the treasurer of Dauphin county, for the years one thousand eight hundred and fifty-eight, one thousand eight hundred and fifty-nine, and one thousand eight hundred and sixty, agreeably to the decision of the court of common pleas of Dauphin county, in the case of Daniel Herr, former treasurer of Lancaster county, on appeal from the decision of the auditor general, in the settlement of his accounts.

Auditor general and state treasurer to re-audit, and settle, accounts.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 409.

*An Act*

Exempting certain counties from the provisions of an act, appropriating the military tax of the several counties of the Commonwealth, to the relief fund of said counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That nothing contained in the act, entitled "An Act appropriating the military tax of the several counties of the commonwealth, to the relief fund of said counties," approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-two, shall be so construed, as to prevent the payment to the several brigade inspectors of the commonwealth, the compensation, allowed by the act, passed the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-eight, regulating the militia of the commonwealth; but said compensation shall be paid to the several brigade inspectors, as though the act of the eighth day of April, Anno Domini one thousand eight hundred and sixty-two aforesaid, had not been passed: *Provided,* That the provisions of this act shall only extend to the counties of Cambria, Mercer, Wayne, Northampton, Luzerne, Washington, Montour, Bedford, Clinton, Fayette, Lehigh, Venango, Monroe, and Clarion.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 410.

*An Act*

To authorize the board of school directors of the Seventh ward, of the city of Pittsburg, in the county of Allegheny, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the board of school directors of the Seventh ward, of the city of Pittsburg, Allegheny county, and their successors, be and they are hereby authorized, and empowered, to borrow any sum, or sums, of money, not exceeding, in the aggregate, the sum of thirty thousand dollars, payable, within twenty years from the date of said loan, for the purpose of building, erecting, and appropriately furnishing, a school house, sufficiently large to accommodate the rapidly increasing population of said ward; and for this purpose, as often as money shall be borrowed, to execute bond, or bonds, in the name of the board of school directors, of said ward, under the hand and seal of the president of said board, attested by the secretary thereof: *Provided*, Said bonds shall not be in less sums than one hundred dollars; and the real estate now belonging to, or that may hereafter be acquired, by said board, shall be considered pledged, for the payment of principal and interest of the same; and that said board of school directors shall have power, and authority, to levy, and collect, an annual school tax, not exceeding ten mills on the dollar, to enable them to pay off said loan, and its accruing interest.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 411.

## A Supplement

To an act to incorporate the Moshannon Railroad Company, approved April eleventh, one thousand eight hundred and sixty-three.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the president and directors of the Moshannon Railroad Company be and they are hereby authorized, to borrow any sum, or sums, of money, not exceeding fifty thousand dollars, and to issue their bonds therefor, in sums of not less than one hundred dollars each, with, or without, interest coupons attached, at such rates of interest, and time, or times, of payment, as they may determine, and to sell, and negotiate, the said bonds, at such prices, upon such terms, and in such manner, as they may deem expedient; and also, to secure the payment of

Authorized to borrow money, and issue bonds therefor.

Mortgage.

the said bonds, by mortgaging their railroad, together with all its corporate rights, and franchises, and the whole, or any part, of their property, whether real, or personal, to such trustee, or trustees, as they may select; and in case of a sale, under the said mortgage, the purchaser, or purchasers, shall acquire all the franchises, and property, so mortgaged, as fully, and effectually, as they were held by the said company, at the time of the execution of said mortgage.

Other companies may subscribe to stock.

SECTION 2. That it shall be lawful, for any other incorporated company, to subscribe to the capital stock, or guarantee the bonds of said company.

May lease their road.

SECTION 3. That it shall be lawful for the said Moshannon Railroad Company to lease said road; and the person, or persons, body, or bodies, his, her, or their heirs, successors, or assigns, to whom said company may, or shall, lease, or let, said road, and appurtenances, is, or are, hereby authorized, and empowered, to enter into, make, take, and accept, the said lease, and have, hold, and enjoy, the same.

Extension of road authorized

SECTION 4. That the said company shall have the right to extend the said railroad, from the town of Moshannon, to the Susquehanna river, at or near Karthaus.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 412.

## An Act

To incorporate the Kater Market Company.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Archibald Cattanaach, Robert B. Scott, Charles M'Crea, John Blackburn, John W. Leigh, Samuel Kilpatrick, James Bunting, John L. Lawson, John A. Gerrett, George Baucker, James S. Stewart, Moses A. Dropsie, Thomas Bell, William B. Mann, and Israel Maule, and their associates, and all other persons, who may now, or hereafter, be holders of the stock hereinafter mentioned, shall be, and they are hereby, declared to be a body corporate, or politic, by the style of the Kater Market Company; to have perpetual succession; to be capa-

Style.

ble, in law, of suing, and being sued; to have a common seal, Powers and  
and the same to alter, and renew, at pleasure; and to have, privileges.  
hold, receive, take, and enjoy, in fee simple, or upon ground rent,  
such real, and, also, such personal, estate, as may, by them, be  
deemed necessary, and proper, for the ownership, and for the  
construction, and for the proper use, management, and main-  
tenance, of a market house, in the city of Philadelphia, and  
for the accommodation of any parties, who may be desirous of  
renting, and occupying, the same, with free power to sell,  
mortgage, make the necessary ground rent deeds, and convey  
the said real, and personal, estate; to make, and execute, such  
by-laws, and regulations, as shall appear to be necessary, and By-laws.  
convenient, for the government of said corporation, and not  
being contrary to the constitution, and laws, of the United  
States, or of this State, and generally to do, and perform, all  
and singular, the matters, and things, which to them shall law-  
fully appertain to do, for the well being of the said corpora-  
tion, and the proper management of the affairs thereof.

SECTION 2. That the object, and purpose, of said corporation, Erection of  
shall be to erect, and maintain, a suitable building, or buildings, buildings, &c.,  
and stalls, with all things necessary for the use thereof, in the authorized.  
Twenty-sixth ward of the city of Philadelphia; the same to be  
appropriated, and used, as a public market house, for the sale,  
and vending, of meats, and vegetables, and all other kinds of  
viatuals, and provisions, whatsoever, as the board of managers Regulations  
may deem proper; the said market buildings, the stalls, or any relative to the  
one, or more, or all, of the same, to be leased, rented, or dis- renting of stalls.  
posed of, in such manner, and upon such terms, and conditions,  
as the managers shall determine: *Provided*, That the said Proviso.  
corporation shall have no power to prohibit, or restrict, by any  
by-law, rule, or regulation, any person, who shall rent a stall  
in any such market building, from exposing to sale, and selling,  
at said stall, in such quantities as he may deem proper, beef,  
pork, mutton, veal, and poultry, which shall be slaughtered, or  
killed, on his farm; nor from exposing to sale, and selling, at  
said stall, butter, cheese, sausages, and chopped meat, which  
shall be manufactured, or prepared, for market, on said farm;  
nor from exposing for sale, and selling, at said stall, any article,  
or articles, killed, or slaughtered, made, or manufactured, or  
prepared, for market, on his farm.

SECTION 3. That the capital stock, of said corporation, shall Capital stock.  
not exceed one hundred thousand dollars, divided into two  
thousand shares, of fifty dollars each, and shall be in such form,  
and be issued, and transferred, in accordance with such by-laws  
as the said managers may establish.

SECTION 4. That the government, and control, of the Kater Management.  
Market Company, and the management of its property, shall  
be vested in, and the corporate powers, of said company, shall  
be exercised by, a board of nine managers, who shall be elected,  
by ballot, from among the stockholders. They shall continue Election of offi-  
in office until their successors be elected; they shall elect a cers.  
president, secretary, and treasurer, from among themselves;  
shall supply all vacancies, in their number, however occasioned, Vacancies.  
and shall have the entire control of the affairs, and interests, of  
the company; and that, until other officers be duly elected,

Corporators to  
act as mana-  
gers, until elec-  
tion.

Annual meet-  
ing.

Notice.

Special meet-  
ings.

Votes.

Tax to state.

the persons named in the first section, of this act, shall be held to be managers of the said corporation, and shall have power and authority as such.

SECTION 5. That a general meeting of corporators shall be held, annually, on the second Monday of January, for the election of nine managers, and the transaction of other business. But if such meeting, or election, shall not then take place, the corporation shall not, for that cause, be dissolved, but such meeting, or election, shall take place as soon thereafter as may be, one week's public notice, of such meeting, being first given, in, at least, three daily newspapers, in the city of Philadelphia; and special meetings, of the corporation, shall be called, and held, as may be provided by the by-laws thereof; and that, in the enactment of by-laws, for the government of the corporation, and its officers, and in the election of officers, and the decision of all questions, and at all the meetings of the corporation, the corporators present, either in person, or by proxy, shall severally vote, one for each share of stock held by them; that said company shall pay, into the state treasury, a tax of one-half of one per centum, on the capital stock, in four equal annual payments.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 413.

## A Further Supplement

To an act to erect the town of Chambersburg, in the county of Franklin, into a borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Time for hold-  
ing borough  
election chang-  
ed.

That the time for holding the election for all officers, of the borough of Chambersburg, provided for in the act of assembly, entitled "An Act to erect the town of Chambersburg, in the county of Franklin, into a borough," passed the twenty-first day of March, Anno Domini one thousand eight hundred

and three, to which this is a supplement, be changed after the election of such officers, on the first Monday in May next, to the third Friday in March, annually, thereafter.

SECTION 2. That the inhabitants of the borough of Chambersburg, in the county of Franklin, qualified to vote for members of the general assembly, and who shall have resided within said borough ten days, immediately preceding the election, and within one year paid a borough tax, shall, on the first Monday in May next, elect, out of such inhabitants, residing within said borough, as are, or may be, qualified to serve as members of the general assembly, six suitable persons, to serve as members of the town council of the said borough; and the two persons, who shall have the greatest number of votes, shall be members of the town council for the three years next following; the two persons, who shall have the next greatest number of votes, shall be members of the town council for the two years next following, and the two persons, who shall have the next greatest number of votes, shall be members of the town council for one year next following; and that on the third Friday of March, annually, thereafter, two persons, qualified as aforesaid, shall be chosen as aforesaid, to serve as members of the town council of said borough, for the term of three years: *Provided always*, That no person shall be excluded from being elected, on account of his having before filled the office of town councilman; and that in all cases, where the number of votes shall be equal for more than two persons, having the highest number of votes, the preference shall be decided by lot, to be drawn by one of the judges, in the presence of the other judges and inspectors of the election.

Qualifications  
of voters.

Election, and  
classification, of  
councilmen.

Proviso.

Place, and man-  
ner, of holding  
borough elec-  
tion.

SECTION 3. That all elections to be held, in pursuance, and by virtue of this act, or in pursuance, and by virtue, of any existing act of assembly, in relation to the borough of Chambersburg, shall be held, and conducted, at the place, and in the same manner, as by the laws of this commonwealth, is, or shall be, directed, for holding the general election, for persons, to serve in the general assembly of this commonwealth; and the judges and inspectors, of the general election, shall conduct and superintend the same, under, and subject, to the same rules, and penalties, as are, or may be, prescribed for holding such general elections.

SECTION 4. That it shall be the duty of the burgess to attend all meetings of the town council, to preside at such meetings, and in case of a tie vote by the council, in any matter, brought before them, the burgess shall have the casting vote.

Duties of bur-  
gess.

SECTION 5. That, hereafter, the annual taxes for said borough shall be levied, and assessed, by the town council, on or before the last Monday in May, of each year, and shall not exceed one cent on the dollar, on the valuation of taxable property, as taken for county rates and levies.

Assessment of  
taxes, relative  
to.

SECTION 6. That, hereafter, it shall be lawful for the town council, of the said borough, to appoint either one or more persons, to act as street and road commissioners of the said borough.

Street, and road,  
commissioners.

Repeal.

SECTION 7. That so much of any acts or act of assembly, as may conflict herewith, be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred sixty-four.

A. G. CURTIN.

No. 414.

## An Act

To secure to the owners their lumber, when lost in the Delaware river.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Rates of compensation for taking and securing logs, or lumber, adrift in the Delaware river, fixed.

That all persons, taking possession of logs or lumber of any kind, found adrift, in the river Delaware, and who shall secure the same in a safe and convenient place, and in all things comply with the regulations, hereafter mentioned, in this act, shall be entitled to demand, and receive, of the owner, or owners, of such lumber, or logs, as a full compensation for their labor, expense, and damages, the following sums, viz : for saving and securing single logs, fifteen cents each ; for sections of rafts, containing not less than ten, nor more than twenty logs, the sum of twelve and a half cents for each and every log ; for sections, containing over twenty logs, the sum of eight cents, for each and every log, and for a whole raft of logs, the sum of five dollars. The compensation for sawed lumber, shall be as follows : for all parts of rafts, containing less than five thousand feet, the sum of thirty cents for each and every thousand feet ; for all parts of rafts, containing over five thousand feet, and not exceeding fifteen, the sum of twenty cents for every thousand feet ; all over fifteen thousand feet, the sum of fifteen cents for every thousand feet, and for a whole raft, the sum of five dollars ; all of which shall be paid by the person, or persons, owning, and claiming, such lumber, upon receiving possession of the same.

Lumber, &c., found adrift, if not claimed within thirty days, to be advertised.

SECTION 2. That it shall be the duty of every person, taking possession of lumber, or logs, found adrift, in the river aforesaid, to secure the same, in some safe and convenient place, at, or within, twenty yards of the margin of said river, there to remain for the space of thirty days, unless sooner claimed by the owner, or owners thereof ; in case no person,



or persons, shall appear, claiming, and owning, said lumber, or logs, within the said period of thirty days, then it shall be the duty of the person, or persons, who shall have taken up, and secured, such lumber, to advertise the same, once a week, for four successive weeks, in the county paper, having the largest circulation in that neighborhood; each insertion shall give a true description of the kind, and quality, of the lumber, and of the mark, or marks, that may be on it, and notice, where the same is located; and in case no person, or persons, appearing, claiming, and owning, such lumber, or logs, during the period aforesaid, then the person, or persons, who shall have taken up, and secured, such drifting lumber, shall be at liberty to appropriate the same, to his, her, or their, own use, after paying all charges, and damages, for securing, and advertising, the same.

SECTION 3. That any person, or persons, claiming to be the owner, or owners, of lost lumber, in the river aforesaid, or his, her, or their agent, shall make claim, thereto, in writing, verified by an oath, or affirmation, to be taken before any officer of this state, qualified, by law, to administer oaths, and affirmations, and shall pay, or offer to pay, the compensation for securing the same, required by this act, together with the expenses of advertising, as aforesaid, shall be entitled to immediate possession of such lumber, and be at liberty to go on with the necessary tools, teams, and men, to remove the same, without let or hindrance; and such claim shall be considered, in all courts of this state, conclusive evidence of title: *Provided*, That nothing, contained in this section, shall be so construed, as in anywise to affect such title, to lumber, or logs, as between such claimant, and any other claimant, or claimants, of the same; and any person, or persons, making a false claim to such lumber, or logs, under oath, or affirmation, shall be deemed guilty of perjury, and, on conviction thereof, shall be subject to all the penalties with which such crime is punishable in this state.

SECTION 4. That any person, or persons, who shall take up, and secure, any kind of lumber, or logs, while adrift, or that may be lodged upon the shore, or islands, of said river, in case of accident, or flood, and shall convey away the same, to a greater distance than twenty yards from the margin of said river, or who shall secrete the same in any place whatever, or who shall fail, or neglect, to advertise the same, (if over the value of five dollars,) as aforesaid, or who shall appropriate the whole, or any part, thereof, to his own use, without having first complied, in all respects, with the requirements of this act, or who shall aid in, assist, or procure, the same to be done, shall be held, and deemed, guilty of a misdemeanor, and, on conviction thereof, shall be fined three times the value of the lumber, so secreted, or removed, and imprisonment, not exceeding two years, or both, at the discretion of the court.

SECTION 5. That in any case, where lost lumber, or logs, of any kind, shall, without assistance, lodge upon the shore, or islands, of the Delaware river, it shall be the duty of the person, or persons, owning, or having possession of, such shore, or island, to advertise the same, as required by this act, as

If not claimed, after being advertised, parties, securing, may appropriate the same to their own use.

Claims for lost lumber to be verified by oath, &c.

Compensation, and expenses, to be paid.

Proviso.

Penalty for making false claims.

Penalty for removing lumber, beyond a certain distance, or secreting the same.

Lumber lodged upon shore, or islands, to be advertised.

Claims for,  
when to be  
made.

Proviso.

Claims for  
damages, in  
cases of rafts  
injured by  
piers, dams,  
&c., relative to.

Not to apply to  
rafts lost below  
Trenton bridge.

though it had been taken up, and secured, as drifting lumber ; and in case no person, or persons, appearing, claiming, and owning, such lumber, either before, or during, the period of advertising the same, the person, or persons, having possession of, or owning, such shore, or island, shall be at liberty to appropriate such lumber to his, her, or their, own use : *Provided*, That in case any person, or persons, shall appear in proper time, claiming, and owning, such lodged lumber, and shall verify such claims, as required in the third section of this act, and shall pay, or offer to pay, one-half the rates of compensation, for securing drifting lumber, as provided in the first section of this act, shall be entitled to all the privileges, and subject to all the penalties, the same, as though such claim was made for obtaining possession of drifting lumber.

SECTION 6. That when any lumber, in raft, shall be injured, in consequence of piers, dams, wings, walls, or other obstructions, in the Delaware river, it shall be the duty of the owner of such lumber, if he make claim to damages, to make such claim, within three months from the time of injury sustained ; and it shall be lawful for the party, or parties, making such claim, to name one person as referee, and for the party, or parties, upon whom said claim shall be made, to name one person as referee ; and the referees, so named, and agreed upon, shall select an umpire, and to the three persons, so chosen, shall be referred all claims for damages sustained, as aforesaid ; said referees shall be sworn to perform their duties impartially, and shall immediately, upon being so sworn, assess the damages sustained, if any, and within ten days, thereafter, furnish, to each of the parties, a copy, in writing, of their award ; the award, of said referees, shall be final and conclusive, in all cases, where the claim to damages shall not exceed two hundred dollars.

SECTION 7. That the provisions of this act shall not apply to any rafts, that may break loose from their moorings, or that may be lost from any cause, below the Trenton bridge, on the Delaware river, commonly known as tide-water.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 415.

**An Act**

Relative to additional water works in the city of Allegheny.

WHEREAS, The present facilities for the supply of water, to the residents of the city of Allegheny, are deemed insufficient, by reason of the greatly increased consumption, and a necessity exists for the immediate enlargement of the present water works, of said city, by the addition of new buildings, and power; therefore,

Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That James Marshall, Joseph Kirkpatrick, Henry Irwin, J. L. L. Knox, and William Smith, be and they are appointed, and constituted, a board of commissioners of the water works extension, of the city of Allegheny, with power to fill vacancies in their number, from whatever cause arising; and the said board shall organize, by the election of a president, and treasurer, from their number, the treasurer giving bond in such amount, with approved sureties, as the said board may determine; and they shall have, and use, a common seal.

Board of commissioners appointed.

Vacancies.

Election of officers.

Treasurer to give bond.

SECTION 2. That the said board be and they are hereby vested with full power, and authority, to contract for, and superintend, the erection of additional works, for the said city of Allegheny, including buildings, engines, machinery, and all things necessary to the full, and entire, completion of the same, for practical operation, upon plans to be approved by the select and common councils of the city of Allegheny, at a cost not to exceed one hundred and fifty thousand dollars.

Powers, and duties, of commissioners.

Plans for buildings to be approved by councils.

SECTION 3. That for the purpose of defraying the cost thereof, the said board are hereby authorized, and empowered, to issue bonds, in the name of the board of commissioners of the water works extension, of the city of Allegheny, signed by the president, and treasurer, of said board, and having the seal of the board attached, for such amount as they may deem necessary, not, however, exceeding the sum of one hundred and fifty thousand dollars, and to negotiate the same; the said bonds shall be of denominations not exceeding one thousand dollars, and have such times for their maturity as the said board may deem advisable, and shall bear interest at the rate of six per cent., payable semi-annually, at such place, or places, as the said board may determine.

Commissioners authorized to issue bonds.

Limitation.

SECTION 4. That for the purpose of defraying the cost of the erection of the contemplated, additional, water works, it is hereby made the duty of the said councils, of said city, to appropriate, for the present year, and annually thereafter, and of the treasurer, of the city, to set apart, to the order of the said board, twenty thousand dollars, out of the revenues of said city, arising from water assessments, or taxes, until all

Councils to make an appropriation, annually.

How to be applied.

the cost of the erection, of said additional water works, shall have been fully paid, including the redemption of bonds, hereinbefore authorized to be issued, with arrearages of interest, and incidental expenses of the board; and said sum, so set apart, annually, shall be drawn upon the order of the said board, signed by the president thereof, and attested by the treasurer thereof; and said sum, so set apart, annually, shall not be diverted, by the said city, or the treasurer of said city, or by said board, from the following uses, viz: first, to the payment of interest, on any bonds issued by said board, on the authority hereinbefore given; and second, to the full, and final, extinguishment, and payment, of the debt contracted in the erection of said additional water works, and so forth.

Accounts of commissioners to be audited.

SECTION 5. That the accounts of said board of commissioners shall be audited, annually, by the committee appointed to audit the city accounts.

Additional appropriations may be made by councils.

SECTION 6. That the said select and common councils are hereby authorized, and empowered, to make such additional appropriations to the annual fund provided for, in section four, of this act, as they may see proper; and such additional appropriation shall be held to the same uses as therein prescribed.

Control of board to cease, when works completed.

SECTION 7. That when the said water works additions are fully, and entirely, completed, to practical operation, the control of the said board, over them, shall cease, and they shall be thenceforth managed, and operated, by the city, under such system as the corporate authorities, of the said city, may see proper to adopt; but the said board of commissioners shall continue in office, until the debt, created by them, as hereinbefore provided, shall have been fully paid.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 416.

## An Act

For the relief of Sarah Ann Purnell, widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be, and is hereby, authorized, and di-

rected, to pay to Sarah Ann Purnell, of the borough and county of York, the widow of John Purnell, an old soldier, or to her order, an annuity of forty dollars, during the term of her natural life, commencing on the first day of July, in the year of our Lord one thousand eight hundred and sixty-three, and payable, half yearly, thereafter, on the first days of January and July.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 417.

## A Supplement

To an act to repeal the law, and vacate a certain State road, in Fayette and Greene counties, approved the eighteenth day of March, one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proviso to the act, passed eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three, entitled "An Act to repeal the law, and vacate a certain state road, in Fayette and Greene counties," be and the same is hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN

No. 418.

## An Act

To authorize the township of Harford, Susquehanna county, to elect overseers of the poor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the electors of the township of Harford, Susquehanna county, on the third Friday of February, in the year one thousand eight hundred and sixty-five, to elect two persons, to serve as overseers of the poor, for said township; one person, at said election, to be elected for one year, and one person, to be elected for two years; and, annually, thereafter, to elect one person, to serve as overseer of the poor, for the term of two years; and said overseers of the poor shall perform all the duties, and be subject to all the liabilities, now, by law, imposed upon the supervisors, of said township, for any act done, whilst performing the duties of overseers of the poor, of said township; and that the supervisors, of said township, shall not have power to act as overseers of the poor, of the said township of Harford, after the said election, to be held on the third Friday of February, one thousand eight hundred and sixty-five.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 419.

## An Act

Authorizing the election of six supervisors in Jefferson township, Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That, at the next township election, and, annually, thereafter,

the electors of Jefferson township, Washington county, shall be authorized to elect six supervisors, who, after their election, shall meet, and divide said township, in such districts, as a majority of said supervisors may deem proper.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 420.

## An Act

Relating to Ground Rents.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the enactment, by the twenty-first section, of the act, of the twenty-second day of April, eighteen hundred and fifty, enacting, that no redeemable ground rent shall become a perpetual incumbrance, by failure to pay the redemption money, within the period fixed for its redemption, shall be taken, and construed, to enable any trustee, or trustees, and others, having power to release, and extinguish, such ground rent, theretofore reserved, but then redeemable, or since reserved, or hereafter to be reserved, with the privilege of redemption, within a specified time, to accept the redemption moneys, and to execute a release, and extinguishment, of such ground rent, as if such period, allowed for such redemption, had not expired, with the same effect, as if done within such period; and all releases, and extinguishments, of ground rents, heretofore made, by such parties, under such circumstances, since the date of said enactment, shall be taken to have the same validity, and effect, as if made, by them, within the period specified for redemption.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 421.

## An Act

To carry into effect a certain devise, under the will of Mary Anderson, deceased.

WHEREAS, Mary Anderson, late of the city of Philadelphia, deceased, by her last will and testament, dated the seventh day of May, Anno Domini one thousand eight hundred and sixty-three, remaining, of record, in the office of register of wills, for the city and county of Philadelphia, aforesaid, did, amongst other things, devise unto the Board of Foreign Missions, of the Presbyterian church, in the United States of America, and their successors, in fee simple, her house, and lot of ground, on the east side of Third street, below Christian street, number nine hundred and nineteen, in the said city :

*And whereas*, The said devisees, being a corporation, created by the state of New York, are not capable of taking, and holding, real estate in this commonwealth ; yet, from their constitution, and character, it plainly appears that the said devise was made for religious, or charitable, use, though the nature, and objects, thereof, cannot be directly, and legally, ascertained :

*And whereas*, It may be doubtful, under these circumstances, whether that use can be carried into effect, by the proper court, without the further sanction, and regulation, of the legislature, according to the provisions of the act of assembly, in such case made and provided ; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the orphans' court, for the city and county of Philadelphia, aforesaid, upon the petition of the said, the Board of Foreign Missions of the Presbyterian church in the United States of America, after notice to all parties in interest, to appoint a trustee, or trustees, to sell the said house, and lot of ground, in Third street, in the said city, devised by the will of the said Mary Anderson, at public, or private, sale, without liability, on the part of the purchaser, to see to the application of the purchase money ; and such sale being made, and confirmed, by the said court, and the conveyance duly executed, the legal, and equitable, title to the said house, and lot of ground, shall absolutely vest in the purchaser, with the same effect as if the same had been conveyed to him, by the said Mary Anderson, in her life-time ; and the proceeds of such sale shall be paid over, by the said trustee, or trustees, to the said, the Board of Foreign Missions of the Presbyterian



church, as aforesaid, to be by them applied to, for, and upon, the religious, or charitable, purposes of their said corporation.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN

No. 422.

## A Further Supplement

To an act in relation to public printing, approved the ninth day of April, Anno Domini one thousand eight hundred and fifty six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That hereafter, the executive, and heads of the several departments of the government, shall be permitted to exercise such a reasonable discretion, in ordering the printing of blank circulars, and miscellaneous printing, as to the kind, and quality, of the paper, to be used, or the style of the execution thereof, as in their judgment, shall best subserve the public service, and interest: *Provided*, That the superintendent of public printing shall receive no order for the printing of any papers, documents, blanks, circulars, or miscellaneous printing, unless the same be in writing, signed by the executive, or head of the proper department; and when the character of the work, required to be done, either in the material, or the execution thereof, is not particularly prescribed by any act of assembly, the order shall contain a particular description of it, and also, a certificate, that the exigencies of the department, and public service, require it to vary from the material, or style, of execution, prescribed in former acts.

SECTION 2. That all orders for binding shall be made in the same way, and under the same restrictions, prescribed in the first section of this act.

SECTION 3. That it shall be the duty of the superintendent, when he shall receive an order for printing, or binding, as aforesaid, to file the original order in his office, and furnish the public printer with a true copy thereof, as his direction for the execution of the work; and after the work shall have been executed, and delivered to the superintendent, he shall enter a particular and full description of it, in his book, kept

Paper used in miscellaneous printing, for different departments, relative to.

Orders therefor, to describe material, style, &c., and to be signed by heads of departments.

Orders, for binding, to be made in the same way

Superintendent to file original order, and furnish public printer with copy thereof, &c.

Receipt to be taken, on delivery of work.

Quarterly accounts to be made out by public printer.

Extended to chief clerks of legislature.

Accounts of present contractors, prior to certain date, settlement of.

for that purpose, and at the same time, to file a sample, or specimen, of the work; he shall also keep a book, in which he shall take the receipt of the person ordering it, on delivery of the work.

SECTION 4. That it shall be the duty of the contractor, or contractors, of the public printing, to make out, and present, to the accounting departments, quarterly accounts of his work and materials, duly certified by the superintendent.

SECTION 5. That the provisions of this act shall embrace the chief clerks of the Senate and House of Representatives.

SECTION 6. That the account of the present contractors of the public printing, executed prior to the thirtieth June, one thousand eight hundred and sixty-four, shall be settled and adjusted by the auditor general and superintendent of public printing, as if all the work, and materials, had been ordered by the proper department, when they are not specified by law.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 423.

## An Act

Relating to the claims of Lewis S. Coryell.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general, and the state treasurer, be, and they are hereby, authorized, and requested, to examine the claims of Lewis S. Coryell, of Bucks county, for rent of dwelling house, and office, occupied by the collector of tolls, on the Delaware division of the Pennsylvania canal, during the years one thousand eight hundred and fifty-two, three, four, five, six, and seven, and whatever amount may be found to be justly due him, from the commonwealth, the state treasurer is hereby authorized to pay him, out of any moneys in the treasury, not otherwise appropriated: *Provided*, That no claim shall be paid, to the said Lewis S. Coryell, until a certificate, from the

attorney general, shall be had, stating that the state is liable for the payment of the said claim.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 424.

## An Act

Relative to the Crescent Oil Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Crescent Oil Company is hereby authorized, and empowered, to increase its capital stock, any sum not exceeding six hundred thousand dollars; and the shares of stock, in the same, shall be in such sums as the board of directors shall fix, not less than five dollars each.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 425.

## A Further Supplement

To an act to incorporate the city of Philadelphia.

WHEREAS, The owner of the fire alarm telegraph, is also the superintendent of the police and fire alarm telegraph, con-

nected with the police department of the city of Philadelphia, and is the only person, from whom, the privileges and supplies, necessary for the management of such telegraph, can legally be obtained :

*And whereas.* The provisions of the act, to which this is a supplement, forbid any officer, of the said city corporation, to be directly, or indirectly, interested in any sale to, or contract for supplies, to the said city, or to any department thereof;

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That no provision in the act, to which this is a supplement, shall prohibit, or prevent, the employment of the owner of the fire alarm telegraph patents, as an officer of the city of Philadelphia, or prohibit any payment to him, of any sum of money, by the said city, for extension of the said telegraph, or for supplies furnished by him, for its management.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 426.

## A Supplement

To an act, entitled "An Act to authorize the burgess and town council, of the borough of Pittston, to levy and collect a tax, to pay bounties," approved March twenty-ninth, one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, to which this is a supplement, be, and the same are hereby, extended to the borough of Dunmore, and to the townships of Plains, Kingston, Plymouth, Madison and Jefferson, in the county of Luzerne, except that the powers, conferred upon the burgess, and town council, of the borough of Pittston, are hereby conferred upon the school directors, of the said townships of Plains, Kingston, Plymouth, Madison and Jefferson; and the duties imposed upon the said burgess, and town council, are hereby imposed upon the said school directors; and all laws, inconsistent herewith, are

hereby repealed, as far as the same relates to the said townships, or borough.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 427.

## An Act

Relative to the term of office for school directors, in the borough of Easton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the provisions of an act, entitled "An Act relative to the term of office, for school directors," approved the twenty-second day of April, one thousand eight hundred and sixty-three, as far as it applies to the term of office, for school directors, in the borough of Easton, be, and the same is hereby, repealed; and that the board of school directors, for the year one thousand eight hundred and sixty-four, shall organize, on the first Monday in May next, and, thereafter, at the first meeting of the said board, ensuing the spring election.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 428.

*An Act*

To repeal the ninth section of an act, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine, entitled "An Act to secure a stricter accountability of certain public officers in Schuylkill county," so far as the same refers to Barry township, in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the ninth section of the act, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine, be and the same is hereby repealed, so far as the same refers to Barry township, in said county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 429.

*A Supplement*

To an act in regard to certain ledgers in the city of Pittsburg, and relating to the publishing of sheriff's sales, and for other purposes, approved the twenty-second day of April, Anno Domini one thousand eight hundred and forty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the second section, of the act, entitled "An Act in regard to certain ledgers, in the city of Pittsburg, and relating to the publishing of sheriff's sales, and for other purposes," approved the twenty-second day of April, Anno Domini one thousand

eight hundred and forty-six, shall not, hereafter, be so construed as to apply to the county of Dauphin.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 430.

### A Further Supplement

To an act to incorporate the Jamestown and Franklin Railroad Company, approved April fifth, one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Jamestown and Franklin Railroad Company shall have the right to extend their road to the village of Latona, in Cranberry township, Venango county: *Provided,* The gauge of the said road shall not exceed four feet, ten inches.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 431.

*Supplement*

To an act to incorporate the Anthracite Coal and Iron Company, approved April eighth, one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the limitation of five miles, mentioned in the first section of said act, shall not apply to railroads, constructed under the authority thereof, and being wholly within the county of Erie.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN

No. 432.

*An Act*

Extending the time for the payment of certain enrolment tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time allowed, by law, for the payment of the enrolment tax, on an act to incorporate the Harrisburg City Passenger Railway Company, approved May first, one thousand eight hundred and sixty-one, be extended until one year from the date of this act; and that R. A. Lamberton, A. O. Hies-ter, James Fleming, John A. Smull, be inserted in said act, in lieu of the corporators therein named.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 433.

*An Act*

Relating to the Ashburton Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Ashburton Coal Company are hereby authorized to hold, in addition to that now authorized by law, two thousand eight hundred and twenty-eight acres of land.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 434.

*An Act*

Authorizing the auditor general to open, and re-adjust, the accounts of John F. Donaldson, prothonotary, et cetera, of the county of Tioga.

WHEREAS, Upon a former settlement of accounts, by said John F. Donaldson, with the commonwealth, a balance was found against him for state taxes, et cetera; a large portion of said balance being made up of interest, at the rate of twelve per centum, upon moneys that have never been received by him; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general is hereby authorized, and required, to open, and re-settle, the accounts of John F. Donaldson, with the commonwealth of Pennsylvania, and ascertain the amount due against him, deducting the interest charged; and upon payment, by said Donaldson, of the balance, deducting the interest, as aforesaid, within thirty days after the amount is as-

certained, as provided by this act, the auditor general is hereby authorized, and required, to satisfy said accounts, in full.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, entitled "An Act to authorize the auditor general to open, and re-adjust, the accounts of John F. Donaldson, prothonotary, et cetera, of the county of Tioga," was presented to the governor, on the thirtieth day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this state, become a law in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 19, 1864.

No. 435.

## A Supplement

To an act relating to the payment of bounties to volunteers, approved the twenty fifth day of March, Anno Domini one thousand eight hundred and sixty-four, so far as the same relates to the county of Bucks.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Repeal of certain provision relative to the mode of levying bounty tax.

That so much of the said act, as authorizes the authorities of any city, township, ward, or borough, to act separately from the commissioners, in levying, and collecting, taxes, in their respective cities, townships, wards, and boroughs, to pay bounties to volunteers, be and the same is hereby repealed, so far as relates to the county of Bucks.

Bounties to be paid, and taxes levied, by county commissioners.

**SECTION 2.** That all bounties to be paid, for raising volunteers, under any call that has, or may, hereafter, be made, by the authorities of the United States, upon the county of Bucks, shall be paid by the commissioners of said county; and all taxes, necessary to pay volunteers, shall be levied, and collected, by the commissioners of said county, under the provisions of the act, to which this is a supplement: *Provided,* That where the authorities of any city, township, ward, or

Proviso.

borough, have found it necessary to raise a greater sum than three hundred dollars, to pay bounties to volunteers, the same shall be levied, and collected, according to the provisions of the act, to which this is a supplement.

SECTION 3. That when the authorities of any city, township, ward, or borough, have proceeded to pay bounties to volunteers, to fill their quota, then the commissioners shall, and they are hereby authorized, and required to pay, to the proper authorities of such cities, townships, wards, or boroughs, the amount of bounties, so paid, with interest: *Provided*, They shall not be required to pay more than three hundred dollars, per man, the said cities, townships, wards, or boroughs, were liable for.

Commissioners  
authorized to  
pay bounties  
advanced by  
boroughs, town-  
ships, &c.  
*Proviso.*

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, entitled "A supplement to an act relating to the payment of bounties to volunteers, approved the twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four, so far as the same relates to the county of Bucks," was presented to the governor, on the sixth day of April, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 19, 1864.

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No. 436.

## An Act

To incorporate the Bennett's Branch Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Benjamin C. Bowman, Hiram Woodward, and John G. Reading, and such as may associate with them, by subscribing to the capital stock, hereinafter named, and their successors, be and they are hereby created a body corporate, and politic,

Corporators.

Title.	in deed, and in law, by the name, style, and title, of the Bennett's Branch Improvement Company; and, by that name, shall have perpetual succession, shall be able, in law, to sue, and be sued, implead, and be impleaded, may have a common seal, and may alter, and break. the same at pleasure, shall be competent to make by-laws, and regulations, for the government of the affairs of the corporation, and, generally, shall have power to do, and perform all those acts that are usual, necessary, and proper, to the efficient management, and well-being, of the corporation hereby created.
Seal.	SECTION 2. The said corporation shall have power, and are hereby authorized, to clear out, improve, and use, all, and every, part of Bennett's Branch of the Sinnemahoning creek, in the counties of Clearfield, and Elk, from the mouth of the large run, known as Bundy's run, above the saw mill of Stephen Bundy, down the same to the mill, known as Lindemuth's mill, below Caledonia; and they shall have the right to use all dams, now erected, by any of the members of said corporation, upon said stream, and to erect new dams, in such manner, and at such points, as they may deem proper, and shall, and may, use all, and each, of said dams, and the waters of said stream, in the floating of saw logs down the same; and, generally, shall, and may, have the right to straighten, deepen, crib, and widen, the channel of the stream aforesaid, in such manner as they see fit, for the purposes aforesaid: <i>Provided</i> , That no injury shall be thereby done, to private property, outside of the limits of the stream aforesaid.
By-laws.	
Powers and privileges.	SECTION 3. That the capital stock, of the said corporation, shall be twenty thousand dollars, and shall be divided into four hundred shares, of fifty dollars each; and the persons, named in the first section of this act, or a majority of them, shall organize the said corporation, by opening books for the receiving of subscriptions, at the house of Hiram Woodward, in Huston township, Clearfield county, on the first Monday of June, one thousand eight hundred and sixty-four, and then, and there, after a majority of the stock shall have been subscribed, the stockholders shall proceed to elect a board of five directors, to manage the affairs of said company, one of whom shall be the president of the company; and the election of directors of the company shall take place, annually, at the same place, on the first Monday of June; and each share of stock shall be entitled to one vote, in said election; and if it shall happen that, from any cause, the annual day of election shall pass, without an election being held, the directors, then in office, shall remain such, until their successors be elected, and qualified.
Proviso.	
Capital stock.	SECTION 4. The capital stock, aforesaid, shall be used in improving the stream aforesaid, and in liquidating the expenses already incurred, in building dams, and improving the navigation of the stream; and the directors are authorized to call in the stock, in such manner, and proportions, as they may, by the by-laws, provide.
Organization.	
Election of directors.	SECTION 5. That the several provisions of the seventh, eighth, ninth, eleventh, and twelfth, sections of the act of assembly, entitled "An Act to incorporate the Anderson's Creek Public
Votes.	
Failure to hold election, relative to.	SECTION 5. That the several provisions of the seventh, eighth, ninth, eleventh, and twelfth, sections of the act of assembly, entitled "An Act to incorporate the Anderson's Creek Public
How capital stock to be used.	
Provisions of certain act extended to.	

Road and Navigation Company," approved the twenty eighth day of March, one thousand eight hundred and fifty-nine, be and they are hereby made applicable to the stream, hereinbefore named, and the company hereby created; and all tolls, for the use of the navigation, shall be payable, if no demand, for the same, be made in advance, to the treasurer of the company, within ten days after the lumber shall have been started in said stream, and on failure to make such payment, the party, in default, shall pay the tolls, with fifty per cent. added thereto; and the logs, so floated, shall be subject to a specific lien for said tolls, which said lien shall not be divested, by any sale thereof, until the tolls be paid, except a judicial sale; and said lien may be enforced, either by retention of possession, or replevin of the logs, whenever, and wherever, they may be found: *Provided*, That no rafted square timber, rafted lumber, or boards, shall be chargeable with tolls for passing down the said stream. Tolls, when, and to whom, payable.

SECTION 6. That said company shall be required to file a bond, in the court of common pleas of Clearfield county, to be approved by said court, in a sum sufficient to indemnify all persons, holding property on said stream, for any loss they may sustain, by reason of said improvement. To file a bond in court of Clearfield county.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

We do certify, that the bill, entitled "An Act to incorporate the Bennett's Branch Improvement Company," was presented to the governor, on the thirtieth day of March, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, April 20, 1864.

No. 437.

## An Act

To annul the marriage contract between Lewis P. Edler, and Amelia, his wife.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into between Lewis P. Edler, and Amelia, his wife, of the county of Lycoming, be and the same is hereby annulled, and made void; and the said parties released, set free, and discharged, from said contract, and the duties, and obligations, thereunder, as fully, effectually, and absolutely, as if said contract had never been made.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 286, entitled "An Act to annul the marriage contract between Lewis P. Edler, and Amelia, his wife," was presented to the governor, on the second day of April, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 19, 1864.

No. 438.

## A Supplement

To an act to incorporate the Danville Railroad Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the act of assembly, passed the nineteenth day of May, one thousand eight hundred and fifty-seven, entitled "An Act to incorporate the Danville Railroad Company," be, and the same is hereby, revived; and the said company shall have three years, from the passage of this act, in which, to commence their said railroad.

SECTION 2. That Edward H. Baldy, John P. Grove, William H. Magill, William Hancock, John Foley, Gideon M. Shoop, and Timothy O. Van Alen, of Danville, and Jacob Garretson, of Philadelphia, or a majority of them, be, and are hereby, appointed commissioners to organize the said company, as provided for in the act to which this is a supplement.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 586, entitled "A supplement to an act to incorporate the Danville Railroad Company," was presented to the governor, on the sixth day of April, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 19, 1864.

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No. 439.

## An Act

To increase the pay of jurors and witnesses in the county of Huntingdon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the *per diem* pay of jurors, in the county of Huntingdon, shall be one dollar and twenty-five cents, instead of one dollar, as heretofore; and that the *per diem* pay of witnesses, in said county, shall be one dollar, instead of sixty-two and a half cents, as hereto-

fore ; and that the mileage of witnesses, in said county, shall be four cents for each mile circular.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 480, entitled "An Act to increase the pay of jurors and witnesses, in the county of Huntingdon," was presented to the governor, on the second day of April, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him ; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, *April 19, 1864.*

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No. 440.

## An Act

For the relief of Martin B. Hartzell.

WHEREAS, Martin B. Hartzell, late collector of state taxes, in and for the borough of Birmingham, in Allegheny county, erroneously, and by mistake, paid into the treasury of said county, the sum of sixty dollars and thirteen cents, more than he should have paid, which amount was accounted for, and paid into the state treasury, by John J. Muse, Esq., then treasurer of said county, and is now held by the state, and has not been refunded :

*And whereas,* The state treasurer possesses no legal authority to refund the same ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the state treasurer pay unto Martin B. Hartzell, of the borough of Birmingham, in Allegheny county, the sum of sixty dollars and thirteen cents, it being the amount of state tax overpaid by him as collector, duly appointed for said borough :



*Provided*, That the state treasurer be satisfied of the justice of the said claim.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 441.

## An Act

Legalizing an ordinance of the town council of the borough of Milton, Northumberland county.

WHEREAS, On the seventh day of January, Anno Domini one thousand eight hundred and sixty-four, the town council of the borough of Milton, passed an ordinance, in the following words, to wit: "Be it ordained, and enacted, by the town council of the borough of Milton, and it is hereby enacted by the authority of the same; section one, that the public alley, immediately south, and adjoining the tannery of Isaac Adams and Company, in said borough, be removed, and extended, as follows, namely: removed southward parallel, thirty-eight feet, two inches, and extended eastward, passing through land belonging to George Baker, forty-eight feet, or thereabouts, so as to intersect a public alley, leading around the north and east side of Saw-mill reserve; also, that Walnut alley, crossing mill race, and passing immediately east of said tannery, be and the same is hereby extended southward, passing through land of the said George Baker, thirty-four feet, intersecting the first above mentioned extension, at right angles therewith, and adjoining lands of George Baker, commonly known as Saw-mill reserve; section two, be it enacted as aforesaid, that from and after the aforesaid removal and extension have been made, at the proper cost of the said Adams and Company, and the alleys thus removed, and extended, be put in good order, and condition, for public use, from thenceforth, the above mentioned alley, adjoining the tannery aforesaid, be and the same is hereby vacated, and so much of the alley, leading around the north and east of the said Saw-mill reserve, as is supplied by the above extension, be and the same are hereby vacated, and rendered null and void:"

*And whereas,* The said borough of Milton, not being under the general borough laws of this commonwealth, but incorporated many years since, by an act of special incorporation, in which, the town council of the same are not empowered, by ordinance, to vacate, and lay out, streets and alleys :

*And whereas,* Therefore said ordinance is of no legal force and effect : therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said ordinance be and the same is hereby declared legal, and binding, and of the same force, and effect, as though the town council of the borough of Milton had full power, and authority, to pass the same.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 442.

## A Supplement

To an act relating to the payment of bounties to volunteers.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

School directors of certain townships, York county, authorized to levy a *per capita* tax.

That the board of school directors, in and for the townships of Fairview, and Newberry, in the county of York, be and they are hereby authorized, to levy, and collect, a *per capita* tax, of not more than five dollars per annum, from each male inhabitant, subject to military duty, in accordance with any law of the United States, or of this commonwealth, resident within said townships.

Mode of levying, and collecting.

**SECTION 2.** That the said tax shall be levied at the same time, and collected in like manner, with the taxes authorized to be levied, and collected, by virtue of an act, entitled "**An Act relating to the payment of bounties to volunteers,**" passed the twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four;" and the money, so realized,

shall be appropriated to the purposes set forth in said act; and no other.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 443.

### An Act

To repeal section four of an act relative to certain election districts, approved April twenty-seventh, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That section (4) four of an act, approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five, entitled "An Act relative to certain election districts," be and the same is hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 444.

### An Act

Declaring Cross Forks creek, in the county of Potter, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Cross Forks creek, in the county of Potter, be, and the same is hereby, declared a public highway, from its mouth up said creek a distance of ten miles.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 445.

## An Act

Relating to the publication of legal advertisements in the county of Franklin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all legal, and other, advertisements, required to be published by the laws of this commonwealth, in the county of Franklin, all notices in cases pending in, or under, process issuing out of the courts of said county, auditors' notices, estate notices, notices of assignment for the benefit of creditors, notice of the filing of assignees', trustees', executors', administrators', and guardian, accounts, sheriffs', executors', administrators', assignees', and all other judicial sales, and all, and every, other notice, of whatsoever kind, required to be published, shall be directed by the said court of Franklin county, to be published in the two papers, published in Chambersburg, having the largest number of subscribers, within the said county of Franklin: *Provided*, That the publishers shall not charge, for the same, exceeding the regular rates, charged for other transient advertisements; and in case of doubt, or dispute, as to circulation, the said court shall appoint an examiner, to hear the proofs of publishers, and upon the report, to determine the papers, in which, all advertisements, hereinbefore named, shall be published, and paid for, by the parties, whose duty it may be to publish the same: *Provided further*, That this law shall not be construed to prevent the publication of any advertisement, hereinbefore specified, in any other paper in said county, or elsewhere, in addition to the two papers publishing in accordance with this act, when, in the judgment of the parties in interest, or of the court, it

is expedient to do so ; all laws, inconsistent with this act, are hereby repealed, so far as they relate to the county of Franklin.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 446.

### *A Supplement*

To an act relative to the West Chester Railroad, the Delaware County Mutual Protection Company, and the West-town and Thornbury Eastern School District.

WHEREAS, By the above recited act, approved the first day of May, one thousand eight hundred and fifty-two, certain parts of the townships of West-town, and Thornbury, in the county of Chester, and of the township of Thornbury, in the county of Delaware, were erected into a separate school district :

*And whereas*, Samuel J. Sharpless is the owner of a plantation, consisting of purchases from Edward Shimer's executors, from Wellington Hickman, and from the executors of John Jones, and a wood lot of twelve acres, all in the county of Chester, and so situated, that part thereof is in the said West-town and Thornbury Eastern school district :

*And whereas*, the school house of the said West-town and Thornbury Eastern school district is at a very inconvenient distance from the said plantation, and that of the Thornbury district is much more accessible therefrom :

*And whereas*, By reason that the said West-town and Thornbury Eastern school district is in two counties, the courts have no power to change the lines thereof ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That from and after the passage of this act, all the plantation and land of the said Samuel J. Sharpless, situate in the townships of West-town and Thornbury, in the county of Chester, shall be in the school district of Thornbury township, Chester county, any law, or any decree of any court, to the contrary, notwithstanding ; and that so much of the above recited, or any other, act, as includes said land, or any part thereof, in

any other than the said school district of Thornbury township, Chester county, be and same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 447.

## An Act

To incorporate the North Lebanon and Jonestown Turnpike Company.

Commissioners.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i>
Title.	That Jacob Weidel, William Rank, Jonathan Geesman, C. B. Forney, Abraham Sherk, Simon Heilman, Napoleon Desh, John Light, Gideon Light, C. O. Meily, David Rank, or any six of them, are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, by the name, style, and title, of the North Lebanon and Jonestown Turnpike Company, with power to construct a turnpike from the Union canal bridge, on Market street, in North Lebanon township, thence, by the most practicable route, to Jonestown, Swatara township, Lebanon county, subject to all the provisions, and restrictions, of an act, entitled "An Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as they are hereby altered, and supplied.
Route.	
Subject to.	
Capital stock.	SECTION 2. That the capital stock, of the said company, shall consist of four hundred and eighty shares, of twenty-five dollars each share: <i>Provided</i> , That said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock, so much as in their opinion may be necessary to complete the said road, and carry out the true intent, and meaning, of this act.
Authorized to use county bridges, and other roads.	SECTION 3. That it shall be lawful for the said company to make use of any county bridge, on the line of the route of their road, and also use the whole, or any part, of any public road, and locate their road upon the ground occupied by any public road; and the court of quarter sessions, of the county through which the road of the said company passes, shall ap-

point viewers, to view, and vacate, such parts of any public road as shall be used, or rendered, unnecessary, by the construction of the said company road, as is provided by general road laws of this commonwealth, in the cases of roads which have become useless. Viewers to be appointed.

SECTION 4. That the president, and managers, shall have power to regulate, and establish, rates of toll, not exceeding the rates established by the act heretofore mentioned, and the several supplements thereto, and to erect toll-gates, and collect tolls, whenever one mile of their road shall have been completed. Rates of toll.

SECTION 5. That the said company shall have power to borrow money, at any rate of interest not exceeding six per centum per annum, for the purpose of completing their road, and issue bonds therefor, and secure the same by mortgage of their road, and franchises. May borrow money.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred sixty-four.

A. G. CURTIN.

No. 448.

## An Act

To enable the citizens of Hopewell township, Washington county, to avail themselves of the provisions of an act, entitled "An Act relating to the payment of bounties to volunteers," approved March twenty-fifth, Anno Domini one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of Hopewell township, Washington county, be, and they are hereby, authorized to levy, and collect, a special tax, in accordance with the provisions of the act relating to the payment of bounties to volunteers, approved March twenty-fifth, one thousand eight hundred and sixty-four, for the relief of the citizens, of said township, from their indebtedness, incurred in raising funds to procure volunteers, and pay bounties to the same, to fill the quota of said township, under the late calls of the President for men; and, also, for the re-imbursement of such citizens, of said township, who have contributed, of their own funds, for the said purpose; and further, that the person appointed, by said directors, to collect

## LAWS OF PENNSYLVANIA,

and disburse said moneys, shall receive, as compensation for his services, three per centum on all moneys collected by him, and one per centum for disbursing the same.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 449.

## An Act

In relation to sidewalks in the township of Fairview, in Erie county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act to prevent injury to sidewalks, in the township of Girard, in Erie county," approved January thirty-first, Anno Domini one thousand eight hundred and sixty, be, and the same are hereby, extended to the township of Fairview, in Erie county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 450.

**An Act**

Giving a bounty on fox and wild-cat scalps, in Westmoreland and Berks counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, any person, or persons, who may kill any red or gray fox, or foxes, wild-cat, or wild-cats, within the counties of Westmoreland and Berks, in this commonwealth, and who shall produce the scalp, or scalps, having the ears thereon, before any justice of the peace, in and for said county, it shall be the duty of said justice to examine such person, or persons, on oath or affirmation, touching the time when, and the place where, such fox, or foxes, wild-cat, or wild-cats, was or were taken and killed; and if the same shall be found to be within the bounds of said county, it shall be the duty of such justice, to certify the same to the commissioners of the county, who shall immediately draw their warrant on the county treasurer, for the sum of one dollar, for each and every scalp, of a full-grown fox, and fifty cents for those that are less than full-grown, and two dollars for each and every scalp of a full-grown wild-cat, and one dollar for those that are less than full-grown, so produced; and it shall be the duty of such treasurer, and he is hereby directed, to pay the amount of said order.

**HENRY C. JOHNSON,**

Speaker of the House of Representatives.

**JOHN P. PENNEY,**

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

**A. G. CURTIN.**

No. 451.

*A Further Supplement*

To an act relative to the removal of the tracks of the Pennsylvania Railroad Company, from a portion of Liberty street, in the city of Pittsburgh, approved April fifth, Anno Domini one thousand eight hundred and sixty.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That all the powers, and provisions, of the act of the general assembly of the commonwealth of Pennsylvania, entitled "An Act relative to the removal of the tracks of the Pennsylvania railroad company, from a portion of Liberty street, in the city of Pittsburgh," approved April fifth, Anno Domini one thousand eight hundred and sixty, be, and they are hereby, revived and extended, until the first day of April, Anno Domini one thousand eight hundred and sixty-five.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 452.

*An Act*

Relative to the payment of military bounties in Borough township, Beaver county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the school directors of Borough township, and of Independent school district, in said township, in Beaver county, said township being one of the sub-districts in the Twenty-fourth military district of Pennsylvania, are hereby empowered, and required, jointly, to levy, and collect, a tax sufficient to re-imburse those persons, of said Borough township, who have

heretofore advanced, and paid, money, for the purpose of raising volunteers, under the late calls of the President of the United States, subsequent to the seventeenth day of October, one thousand eight hundred and sixty-three; the assessment, collections, payments, and settlements, to be made in accordance with the provisions of the general bounty law, approved the twenty-fifth day of March, one thousand eight hundred and sixty-four.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 453.

## An Act

Relating to the office of fire marshal of the police department of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That the fire marshal, appointed by the mayor of the city of Philadelphia, under the ordinance of the select and common councils of said city, approved March twenty-fifth, Anno Domini one thousand eight hundred and sixty-four, shall, under the instructions, and orders, of the mayor, be authorized to enter any building, or premises, wherein a fire has, at any time, occurred, for the purpose of making such examination as may be deemed necessary to ascertain the cause of burning; and any person preventing, or obstructing, or attempting to prevent, or obstruct, said fire marshal, while in the discharge of the duty aforesaid, shall be guilty of a misdemeanor; and, on conviction thereof, shall be fined in a sum not exceeding fifty dollars, or undergo an imprisonment, not exceeding three calendar months, or both, at the discretion of the court.

Fire marshal authorized to enter buildings for the purpose of examinations as to causes of fires.

SECTION 2. And that the mayor of the city of Philadelphia shall be, and he is hereby, authorized, whenever, in his judgment, the occasion demands it, to issue *subpena*, in the name of the state of Pennsylvania, to any person, or persons, requiring them to attend before him, or the fire marshal, at such time, and place, as may be named in said *subpena*, then and there to testify, under oath, or affirmation, which the fire mar-

Penalty for attempting to obstruct him while in discharge of duty.

Mayor may issue *subpena* for witnesses.

Marshal may administer oaths in absence of mayor.

shal, in the absence of the mayor, is hereby empowered to administer, as to the origin of any fire occurring within the bounds of the consolidated city of Philadelphia; and, also, as to any facts, or circumstances, that may be deemed important to secure the detection, and conviction, of any party, or parties, guilty of the offences of arson, or attempted arson.

*Subpoena* may be directed to any policeman.

SECTION 3. That such *subpoena* may be directed to any police officer, of the city of Philadelphia, who is hereby empowered to serve the same.

To go into effect immediately.

SECTION 4. That this act shall go into effect from, and after, the date of its passage, and approval by the governor of the commonwealth.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 454.

## An Act

To incorporate the Old Man's Home.

Preamble.

WHEREAS, An association, denominated the Old Man's Home, has been formed, for the purpose of affording relief, and the comforts of a home, to old men, in indigent circumstances, the members of which, desire to be incorporated, to enable them more effectually to accomplish their object; therefore,

Incorporation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the persons, who are now, or shall hereafter become, members of said association, according to the by-laws, be, and the same are, hereby created, and erected, into one body politic and corporate, in deed, and in law, by the name, style, and title, of the Old Man's Home of Philadelphia.

Name.

Privileges.

SECTION 2. That said corporation, by the same name, style, and title, shall have perpetual succession, and be able to sue, and be sued, implead, and be impleaded, in all courts of law, and elsewhere, to have, and make, a corporate seal, and again, at pleasure, to alter and renew the same, and shall be able, and capable, in law, and equity, to take, purchase, hold, and receive, to them, and their successors, any lands, tenements, goods, and chattels, of whatever kind, nature, or quality, real, mixed, or personal, which are now, or shall, or may, at any

Seal.

time hereafter, become the property of the said corporation, or body politic, by purchase, gift, grant, bargain, sale, conveyance, devise, bequest, or otherwise, from any person, or persons, whomsoever, capable of making the same, and the same to grant, bargain, sell, improve, or dispose of, for the use, and benefit, of the said corporation.

SECTION 3. That no misnomer of said corporation, or their associates, or successors, shall defeat, or annul, any intended gift, grant, conveyance, devise, or bequest, thereto, nor any act, or deed, intended to be done, or made thereby. Misnomer, relative to.

SECTION 4. The affairs of said corporation shall be exclusively under the control of a board of managers, not exceeding twenty-four in number, who shall be elected by the members of the corporation, at their annual meeting; said managers to serve until their successors are appointed; the board of managers shall appoint the officers of this corporation from its own body, and shall have power to fill vacancies, occurring in the intervals of election, either from death, resignation, removal, or inattention to the duties, as managers, to make by-laws for its government, and for the management of the Home, the safe keeping of the funds, and other property of this corporation, and their appropriation, and use, in accordance with the intent and purposes of this institution, and to attend to all other business of the said corporation, not herein provided for. Board of managers, election of.  
Their powers, and duties.

SECTION 5. That the affairs of said corporation shall never be under the control of any sectarian influence. Not to be under sectarian control.

SECTION 6. That the buildings, and grounds, used for the Old Man's Home, shall, during the term of such occupancy, be exempt from taxation, except for state purposes. Exempt from taxation.

SECTION 7. The board of managers shall consist of the following named persons, to continue until their successors are appointed: Mrs. John S. Henry, first directress, Mrs. Robert Vaux, second directress, Miss Phebe A. Attwood, treasurer, Miss Mary H. Boyles, secretary, Mrs. James Hunter, Mrs. Henry D. Steever, Mrs. John Sibley, Mrs. A. Boyd Cummings, Miss Emma Boyles, Miss Emily Lancaster, Miss Hannah D. Attwood, Miss Virginia Reakirt, Miss Caroline M. Rulon. Managers appointed to act until election.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 455.

*An Act*

To incorporate the Cooper Shop Soldiers' Home, in the city of Philadelphia.

**Preamble.**

WHEREAS, Certain citizens of the city of Philadelphia, and commonwealth of Pennsylvania, to wit: William M. Cooper, Cornelius V. Fort, William M. Maull, Adam M. Simpson, Hervey W. Pearce, William H. Dennis, L. B. M. Dolby, R. H. Ransley, Philip Fitzpatrick, B. Frank Palmer, E. S. Hall, W. R. S. Cooper, E. S. Cooper, R. G. Simpson, William Sprole, H. R. Warriner, Thomas Smith, (president Bank North America,) S. W. Nickles, Dr. A. Nebinger, L. W. Thornton, Captain A. H. Cain, Captain R. H. Hoffner, H. H. Webb, E. J. Heraly, Jacob Plant, Joseph Coward, Jr., Tyler A. Coward, W. R. Mellen, Isaac Plant, Henry Dubosq, George R. Birch, Thomas H. Rice, J. P. Deltra, George Sefer, Joseph T. Packer, William Morrison, James Toomey, Edward Whetstone, Robert P. King, William Struthers, Joseph Perry, Evan Randolph, George D. Hoffner, Charles Spencer, Charles C. Wilson, H. A. Wetherill, Thomas M. Coleman, J. D. Watson, Charles Ide, J. Gates, James Sullender, C. L. Pascal, Joseph E. Sass, John L. Neill, John Grigg, Captain A. D. Davis, S. Morris Waln, Daniel Smith, Samuel Welsh, William Bucknell, George J. Lewis, John T. Lewis, John P. Croizier, Dr. E. Wallace, Caleb Cope, M. L. Hallowell, Thomas Sparks, Junior, G. K. Zeigler, and Joseph Jeanes, who were associated together as an organization, known by the name of the Cooper Shop Volunteer Refreshment Committee, did petition, and obtain, from the honorable judges of the court of common pleas, of the county of Philadelphia, a decree of incorporation, approved the fifteenth day of February, Anno Domini one thousand eight hundred and sixty-two, the object of which was the giving of protection, shelter, and a home, to discharged, and disabled, soldiers, and seamen, of the United States of America:

*And whereas*, This body, known by the title of the Cooper Shop Soldiers' Home, of the city of Philadelphia, did, on the twenty-second day of December, Anno Domini one thousand eight hundred and sixty-three, dedicate to the use, and purpose, set forth in the decree of the court of common pleas, referred to, the Cooper Shop Soldiers' Home, of the city of Philadelphia, and which Home is now in operation:

Now, therefore, more fully to carry out the object, and purpose, of said association:

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

**Incorporation.** That the several persons, heretofore incorporated by the court of common pleas, for the city and county of Philadelphia,

**Title.** under the name of the Cooper Shop Soldiers' Home, of the city of Philadelphia, and such other persons, who shall become

associated with them, be and they are hereby created a body politic, and corporate, under the name, style, and title, of the Cooper Shop Soldiers' Home, in the city of Philadelphia; and by the said name, shall have perpetual succession, with all the rights, incident to a corporation, under the laws of this commonwealth.

SECTION 2. That the said corporation is hereby authorized to establish, and maintain, in the city of Philadelphia, an institution, to be called the Cooper Shop Soldiers' Home, for the accommodation, and residence, of disabled soldiers, and seamen, who have been, or may hereafter be, honorably discharged from the service of the United States of America; and may acquire, and hold, in fee simple, or otherwise, such real estate, and such other property, as may be required for the said purpose, and shall be capable of receiving, and holding, any such property, by devise, bequest, or otherwise.

Objects.

Privileges.

SECTION 3. That the affairs of said corporation shall be conducted by a board of fifteen managers, one-third of whom shall be elected by the corporators, aforesaid, and the contributors, as hereinafter provided for, at a meeting to be held on the first Wednesday in January, in each and every year: *Provided*, That at the first election, held after the passage of this act, they shall elect five managers to serve for one year, five for two years, and five for three years: *And provided further*, That the board of managers, elected by the said Cooper Shop Soldiers' Home, shall be the managers of the corporation hereby created, until the said election shall be held, and their successors chosen.

Board of managers, election and classification of.

Present managers to continue until election.

SECTION 4. That the board of managers, within one month after their election, and organization, shall elect, annually, a board of twenty-five ladies, to co-operate with them, as the by-laws may direct, in the management of the affairs of the institution.

Managers to elect a board of ladies to co-operate with them.

SECTION 5. That the board of managers shall have power to make by-laws, for the government of the institution, and the general business, and affairs, of the corporation, directing the mode of conducting the annual election, of organizing the board, of filling the vacancies that may occur therein, and prescribing the duties of officers, agents, and servants, of the corporation: *Provided*, That the said by-laws shall be approved by the members, for the time being, of the said corporation, and shall not be in conflict with the laws of this commonwealth.

By-laws.

Proviso.

SECTION 6. That the board of managers may, at any time, require, from the treasurer of the corporation, a bond, with sufficient surety, conditioned for the faithful discharge of his duties, and may remove him from office whenever the interests of the corporation shall demand such removal.

Treasurer to give bond.

SECTION 7. That from, and after, the passage of this act, a contribution of fifty dollars shall entitle the contributor to a life membership, without further liability on his part; all persons, who shall contribute the sum of five dollars, annually, shall enjoy the privileges of membership, and be entitled to vote at all meetings, and elections: *Provided*, That no person shall be entitled to vote at any meeting, or election, whose

Membership, relative to.

Proviso.

contribution, for any preceding year, shall be then unpaid; any person, contributing two dollars, annually, shall be entitled to honorary membership, and shall receive a certificate of the same.

Property of former association to be merged in this corporation.

SECTION 8. That from, and after, the passage of this act, the personal property, and effects, of the Cooper Shop Soldiers' Home, of the city of Philadelphia, shall become the property of, and the said corporation shall be merged in, the corporation hereby created.

The consolidation of the Soldiers Home, with this corporation, authorized.

SECTION 9. That it shall, and may, be lawful for the corporation, named in this act, and the corporators, named in an act, entitled "An Act to incorporate the Soldiers' Home, in the city of Philadelphia," approved the ninth April, one thousand eight hundred and sixty-four, to consolidate, and merge, the two corporations, authorized by the said acts, in one corporation, by the name of the Soldiers' Home, in the city of Philadelphia, with all the rights, and privileges, granted by, and subject to, the provisions of the said act, to incorporate the Soldiers' Home, of the city of Philadelphia.

Name.

Subject to.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 456.

## A Supplement

To an act to incorporate the Hyde Park Cemetery Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the capital stock of the Hyde Park Cemetery Company may be divided into two hundred shares, of fifty dollars each, instead of shares of one hundred dollars each, as is provided by the act, approved the tenth day of March, Anno Domini one thousand eight hundred and sixty-two, to which this is a supplement.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 457.

*A Further Supplement*

To an act to incorporate the New Castle and Beaver Valley Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the board of managers of the New Castle and Beaver Valley Railroad Company be, and are hereby, authorized to issue one hundred thousand dollars of additional stock, and give it such preference, over stock already authorized, as they may deem advantageous: *Provided*, That it shall be issued in shares of fifty dollars each, and bear a rate of interest not exceeding seven percentum per annum: *And provided further*, That no such stock shall be issued without first submitting the question to a vote of the stockholders, and a majority, in interest, shall determine the same.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 458.

*An Act*

To incorporate the Oil Creek and Warren Transportation company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Chapin Hall, S. P. Johnson, G. W. Scofield, C. C. Wetmore, R. Brown, William A. Irvine, L. D. Wetmore, C. B. Curtis, R. P. King, L. F. Watson, Thomas Struthers, John F. McPherson, J. Y. James, Lewis Anott, Andrew Hertzell, and H. P. Kinnear, or any five of them, be, and they are hereby, appointed commissioners, to open books of subscription, in the borough of Warren, after giving not less than ten days' notice of the time, and place, in one or more newspapers

Corporators.

Subscriptions, relative to.	published in said borough, for the purpose of receiving subscriptions to, and organizing, a company, under the name of the Oil Creek and Warren Transportation Company, which
Name.	company shall have power to purchase, or construct, boats, for its own use, and carry on a transportation business, and
Powers and privileges.	own, and deal, in such other property as may be necessary, or convenient, for such business. The company shall not hold real estate, except for their wharves, and necessary buildings, unless the same be taken in collecting, or securing debts, and it may make deeds of conveyance of such real estate.
Capital stock.	SECTION 2. The capital stock of said company shall be twenty thousand dollars, divided into four hundred shares, of fifty dollars each; it may be increased, or diminished, in the manner prescribed by the nineteenth and twentieth sections of the act of the legislature, to encourage manufacturing operations in the commonwealth, passed on the seventh day of April, Anno Domini one thousand eight hundred and forty-nine; but said stock shall not exceed the amount limited by said act, and its supplements. The company shall send a statement, containing the names of the subscribers to the increased stock, and the amount of the subscription, or reduction, to the governor, to be filed in the office of the secretary of the commonwealth.
Statement of increase, or reduction, to be sent to governor.	SECTION 3. This act shall not take full effect until at least three hundred shares shall be subscribed, and twelve thousand dollars actually paid in, in cash, or such property, and privileges, as the subscribers shall unanimously receive as cash; a statement, containing the amount subscribed, and paid, by each, shall be sent to the governor, to be filed in the office of the secretary of the commonwealth; whereupon the governor shall
When this act to take effect.	issue letters patent to said subscribers, or corporators, under the name aforesaid; and said company shall be a body politic, and corporate, in fact, and in law, and shall have succession, and be capable, in law, to sue, and be sued, to have a common seal, and the same to alter at pleasure.
Letters patent to be issued.	SECTION 4. The affairs of the company shall be managed by a board of five directors, one of whom shall be president, and shall be designated by the stockholders; the first election shall be held within sixty days after this charter shall take effect, and subsequent elections shall be held, at such times and places, annually, as the directors shall determine; two weeks' notice, of all said elections, shall be given, in the manner provided in the first section of this act; all elections shall be by ballot, and every share of stock, on which all the calls shall be paid, shall entitle the holder thereof to one vote, either in person, or by proxy. In case of failure to hold an election, under this act, the former directors shall continue in office until their successors shall be duly chosen; in case of a vacancy in the office of president, or any director, the remaining directors shall elect a person to serve until their successors are duly chosen.
Seal.	SECTION 5. The stock of the company shall be transferable according to by-laws, which may be adopted by the directors, and dividends may be declared, and paid, whenever the directors deem it advisable; but said dividends shall, in no case, exceed the actual net profits, acquired by the corporation; and
Election of directors.	
Notice.	
Votes.	
Vacancies.	
Stock transferable.	
Dividends, relative to.	

if the directors shall make a dividend of more than the actual net profits, the directors consenting thereto shall severally be liable, to the corporation, in their individual capacities, for the excess so divided and paid.

SECTION 6. The issue, sale, and security, of bonds, by the corporation, the individual liability of stockholders, and the remedy thereon, the reservation to the commonwealth, and the limitation of this charter, shall be the same as are provided by sections sixth, seventh, and eighth, of the act to incorporate the North American oil company, passed by said general assembly, and approved on the first day of May, Anno Domini one thousand eight hundred and sixty-one.

Provisions of certain act relative to bonds, individual liability, &c., extended to.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 459.

## An Act

Relating to the Buffalo, Bradford and Pittsburg Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the articles of consolidation heretofore agreed upon, and executed, by, and between, the Buffalo and Bradford Railroad Company, and the Buffalo, Bradford, and Pittsburg Railroad Company, under, and in pursuance of, an act, entitled "Supplement to an act to incorporate the Buffalo and Bradford Railroad Company," approved the twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven, be recorded in the office for recording deeds, et cetera, in the county of M'Kean; and the record, so made, and certified copies thereof, shall be received as evidence of said consolidation, and the facts therein contained; and the said articles of consolidation shall be deemed, and taken, to have vested in the said Buffalo, Bradford, and Pittsburg Railroad Company, all the rights, privileges, powers, and franchises, of, and belonging to, the said Buffalo and Bradford Railroad Company; and all grants and deeds of conveyance, heretofore made, and executed, by the Buffalo and Bradford Railroad Company, to the Buffalo, Bradford, and Pittsburg Rail-

road Company, for the transfer of lands, tenements, roadway, and property, of whatsoever kind, heretofore belonging to them, are hereby declared to be as valid, as if the said grants and deeds of conveyance had been executed, and delivered, prior to the execution of the said articles of consolidation; and the time for completing the said Buffalo, Bradford, and Pittsburg railroad, is extended to the first day of January, Anno Domini one thousand eight hundred and sixty-seven.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 460.

## An Act

To incorporate the New Castle Gas and Coke Company.

- SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*
- Corporators.** That John Ferguson, Joseph Pennock, Robert W. Cunningham, Isaac M. Pennock, John M. Permar, and D. Parrish, junior, be, and they are, hereby appointed commissioners, to establish a gas company, within the borough of New Castle, or vicinity, in the county of Lawrence, in said commonwealth; and they, or a majority of them, are hereby authorized, to establish such gas company, under the name, style, and title, of the New Castle Gas and Coke Company, with the right, and authority, to supply the borough of New Castle, and its vicinity, with gas light.
- Title.**
- Privileges.**
- Capital stock.** *SECTION 2.* The capital stock of said company shall be thirty thousand dollars, with the privilege of increasing the same to fifty thousand dollars, to be divided into shares of twenty-five dollars each; to be organized, managed, and governed, as provided by an act, entitled "An Act to provide for the incorporation of gas and water companies," approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven, and be subject to all the restrictions, and provisions, together with all the immunities, rights, and privileges, contained in said act; and all acts, and supplements, thereto, inconsistent herewith, shall be, and the same are, hereby repealed: *Provided*, That the said company pay into the state
- Management.**
- Subject to.**
- Tax to state.**

treasury a tax of one-half of one per centum, upon their capital stock, in four annual payments.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 461.

## An Act

To incorporate the Berks and Chester Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That Edward Bailey, Edward Brooke, George Brooke, Bently Commissioners, H. Smith, Henry S. Kupp, Levi E. Hook, David J. Lincoln, John C. Evans, Robert A. Gilmore, John M'Gowan, James E. Wells, David Plank, Josiah Lewis, William Everhart, of Berks county, and Leonard F. Roberts, John Cornog, Charles E. Brooke, Abraham Gibbons, Thomas Potts, Elijah Bull, Jacob Dengler, John Irey, Samuel Ringwalt, Isaac W. Vanleer, Doctor Joseph M'Clure, of Chester county, or any five of them, be and they are hereby appointed commissioners to open books, and receive subscriptions, and organize a company, by the name, style, and title, of the Berks and Chester Railroad Company, with power to construct a railroad from a point, on the Philadelphia and Reading railroad, at, or near, Route. Birdsboro', in Berks county, and thence by the most available route, to connect with any railroad, or railroads, now built in the county of Chester; and the said railroad company shall be entitled to all the privileges, and be subject to all the provisions, and restrictions, prescribed by an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock, of said company, shall consist of two thousand shares, of fifty dollars each: *Provided*, That the said company may, from time to time, by a vote of the stockholders, or otherwise, as hereinafter provided, increase their capital stock to an amount sufficient to complete said road, and to carry out the true intent, and meaning, of this act.

SECTION 3. That said railroad company is hereby authorized to construct branches, or lateral railroads, not exceeding nine

Authorized to  
construct  
branches to  
mines, &c.

miles in length, to any mines, quarries, or manufactories, or to connect with any other railroads, in the counties of Berks, and Chester, to project, and construct, additional tracks, sidings, turnouts, depots, water stations, engine houses, shops, offices, telegraph wires, and all necessary buildings, houses, shops, and offices, together with platforms, and shutes, for loading, and unloading, ores, and minerals; and whenever the said company shall enter upon lands, for the purposes aforesaid, they shall stake off, and designate, the boundaries of the same, and make an accurate survey, and draft, thereof, upon which shall be based all legal proceedings, for the recovery, or adjustment, for damages.

May borrow  
money.

SECTION 4. That the president, and directors, of said company, shall have the power to borrow money, from time to time, in such sums, and at such rates of interest, as they may think proper, for the construction of said railroad, and the procuring of the rolling stock therefor, and to pledge the said road, rolling stock, and franchises, or any part thereof, for the payment thereof: *Provided*, That said company shall not issue bonds for a less denomination than one hundred dollars, and the said bonds may be convertible into capital stock, of said company, at the option of the holder, thereof, or otherwise, as the said president, and directors, may elect.

Bonds, relative  
to.

Settlement of  
damages, mode  
of.

SECTION 5. That in all cases, where said company, and the owners of land, and materials, cannot agree, upon the amount of damages claimed, either for land, or materials, the said company may tender a bond, with sufficient security, to the party claiming damages, the condition of which shall be, that the company will pay, or cause to be paid, such amount of damages as the party shall be entitled to receive, after the same shall have been agreed upon by the parties, or assessed, according to law: *Provided*, In case the party, or parties, claiming damages, refuse to accept the bond, or bonds, tendered by said company, the said company may, in such cases, present their bond, or bonds, to the court of common pleas, of the proper county, or any one of the judges thereof; and if the said court, or any one of the judges thereof, approve the security, they shall direct the said bond, or bonds, to be filed in the prothonotary's office, of said court, for the benefit of those interested; whereupon, the said company may enter upon, or take possession of such land, and materials.

Proviso.

Guardians, and  
committees,  
may adjust  
damages, &c.

SECTION 6. That in all cases, in which the owners of lands, and materials, are minors, lunatics, or habitual drunkards, it shall, and may, be lawful for the guardian, or committee, of such owners, and the said company, amicably to adjust the amount of damages to be paid, if they can agree; and on payment of the amount, it shall be lawful for such guardians, or committees, to release said company from all claims therefor, and to execute all necessary papers in the premises; in case the said parties cannot agree, the said company may proceed, as is provided for in the fifth section of this act.

Directors.

SECTION 7. That the number of directors shall be eight, and the president, and four or five of the directors, of said company, shall constitute a quorum to do business.

SECTION 8. That said Berks and Chester Railroad Company shall complete their road, so far as to make it ready for running order, in five years, from the first day of July, Anno Domini one thousand eight hundred and sixty-four: *Provided*, That the right to construct branches, additional tracks, sidings, turnouts, depots, water stations, engine houses, shops, offices, telegraph wires, and all necessary buildings, houses, shops, and offices, together with platforms, and shutes, for loading, and unloading, ores, and minerals, as provided in the third section of this act, shall not terminate with such completion, but shall continue as corporate powers of said corporation.

When road to be completed.

Proviso.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 462.

## Supplement

To an act to incorporate the Somerset Iron and Coal Company of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

That the capital stock of the said Somerset Iron and Coal Company of Pennsylvania be, and the same is increased, from the sum of five hundred thousand dollars, to a sum, not exceeding one million dollars; which said entire capital stock shall be divided into shares of twenty dollars each, and shall be employed only in the manner, and for the purposes, provided by the third section of the act to incorporate the said company, passed on the nineteenth day of March, in the year eighteen hundred and sixty, and the said stock shall be assignable, and transferable, in the manner provided for by said section.

Increase of capital stock authorized.

How to be employed.

Transferable.

SECTION 2. That the time for the payment, by said company, of the bonus of one-half per centum on the capital stock of said company, be and the same is hereby extended, so that the same shall be payable in five equal annual instalments, the first payment to be made in one year from the date hereof.

Time for payment of bonus extended.

SECTION 3. That the said company shall pay a bonus of one-half per centum, on the increase of their capital stock, authorized by this act, or to the extent of such increase, in five

Bonus on increase.

Tax on dividends.

equal annual instalments, the first payment to be made in one year from the date hereof; and said corporation shall also pay such taxes upon dividends, as are, or may be, provided for by law.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 463.

## An Act

To incorporate the Clinton Coal and Iron Company.

Preamble.

WHEREAS, George Trotter, and James G. Clark, hold the title to a tract of unseated land, in the counties of Clinton and Centre, in this commonwealth, in trust for the stockholders of an unincorporated association, called the Clinton Coal and Iron Company:

*And whereas*, The said land is entirely undeveloped, by reason of the absence of corporate powers, and means of raising capital by the said association; therefore,

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William B. Thomas, James M'Manes, Marmaduke Moore, Jonathan Bullock, Morris E. Aflick, John H. Wheeler, Joseph G. Henszey, Charles C. Jackson, George Sturges, and James G. Clark, and their associates, stockholders of the said association, be, and they are hereby, constituted a body politic and corporate, under the name, style, and title, of the Clinton Coal and Iron Company, by which name they shall have perpetual succession, and enjoy all the privileges, incidents, and franchises, of, and usually pertaining to, a corporation; and the said lands are hereby vested in the said corporation, in fee simple, and the said trustees are hereby authorized to convey to the said corporation the legal title thereof.

Title.

Privileges.

Present directors to continue until election.

SECTION 2. The present directors of the said association shall be the directors of this corporation, and shall continue in office until the next annual election, or until their successors are duly elected. The present stockholders of the said association, and their executors, administrators, and assigns, shall be the stockholders of this corporation, and shall hold the same

Stockholders.



shares, and interest, therein, as they now hold in the said association; and the stock of said association, with the same number of shares, and the same par value as now existing, shall constitute the capital stock of this corporation. Capital stock.

SECTION 3. That it shall be the duty of the directors, of the said corporation, to grant, bargain, and sell, the said lands, in such quantities, and at such prices, as may be agreed upon between them and any purchaser, or purchasers, thereof, and to receive any moneys, mortgages, or other securities, including the certificates of stock of this corporation, in payment of the same, and to grant, convey, and assure, the same to the purchaser, or purchasers, thereof, in fee simple, or for any less estate, and from time to time to divide the proceeds of such sale, or sales, among the stockholders, or to invest the same in the improvement and development of their lands: *Provided however*, That no sale shall be consummated until the same is approved of, and confirmed, by the stockholders, at a meeting called for that purpose, or until the consent of a majority, in interest, of the stockholders, shall be obtained to such sale Duties and powers of directors.

SECTION 4. That it shall be lawful for the directors, of the said corporation, to demise, and let, to any person, or persons, upon such terms as may be agreed upon, the right, and privilege, of cutting and taking away, the timber, and of mining, taking, and carrying away, the iron ore, coal, and other minerals, that may be found on said lands, and to aid in the development of the minerals, and other materials, the use and transportation of them to market, and to promote the clearing, and settlement, of the country; and it shall be lawful for them to work, mine, transport to market, and vend the coal, and other minerals, contained in, and any other products of, said land, to construct such railway, or railways, with necessary branches, not exceeding twenty miles in length, or to aid any other person, or corporation, in constructing such railway, as may be necessary to intersect, and connect, with any railroad now constructed, or which may then, or hereafter, be constructed, in order to transport the products of their lands to market. Proviso.

The said company is hereby authorized to create, issue, and sell, capital stock, in addition to their present capital stock, and of the same par value, sufficient for the purposes specified in this section, and shall pay, to the commonwealth, a tax of one-half of one per centum, on said amount, in four equal annual instalments, the first instalment to be paid in one year after issuing the said stock, or, in the discretion of the board of directors, to borrow money for the said purposes, on bonds secured by mortgage, or not, as may be found most expedient, on the best terms that the same can be obtained. Directors authorized to demise privileges of cutting timber, mining, &c.

SECTION 5. That it shall be lawful for the said directors, or a majority of them, to adopt a common seal, for the use of the said corporation, and the certificates of stock, and other official acts, shall be authenticated by affixing the same; and to enact such by-laws as may be necessary for conducting, and regulating, the affairs of the corporation, which by-laws shall provide for all matters not herein specially provided for: *Provided*, That the same shall not be inconsistent with the constitution and laws of this commonwealth. May mine, and vend, coal, &c., construct railways, &c.

Reservation.

SECTION 6. That the legislature reserves the right to amend, or repeal, this act, if the same shall be considered incompatible with the general good of the commonwealth, but in such wise, nevertheless, as to do no injustice to stockholders, purchasers, or lessees, of said lands.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 464.

*An Act*

To incorporate the Carter Edge Tool and Agricultural Implement Manufacturing Company.

Corporators.

Title.

Powers and  
privileges.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Pulaski Carter, Henry H. Crane, W. W. Winton, Ira Tripp, and John S. Ingals, of Luzerne county, their associates, successors, and assigns, and all such persons, and parties, companies, or corporations, as shall become stockholders, in the company, hereby incorporated, shall be, and they are hereby, constituted a body politic, and corporate, by the name, and style, and title, of the Carter Edge Tool and Agricultural Implement Manufacturing Company, to be located at or in the vicinity of Providence, Luzerne county, Pennsylvania, and by said name, style, and title, shall have succession, and a common seal, with power to alter the same at pleasure, and shall have power to sue, and be sued, plead, and be impleaded, in any court in this commonwealth, or elsewhere, and to appoint all necessary agents, and assistants, and may have all the rights, and powers, necessary to carry on, manage, and develop their business, as a manufacturing company, in manufacturing scythes, and axes, and other iron and steel goods, and goods, and implements, composed of wood and iron, and steel, and other metals, and material, and generally to make, and manufacture, vend, sell, and dispose of, all such tools, materials, and articles, as they may deem necessary, in the prosecution of their business; and for that purpose, shall have power to purchase, and hold, in fee simple, under lease, or otherwise, not exceeding two hundred acres of land, and

to purchase, and hold, all such personal, and other property, as may be necessary, or convenient, for the prosecution of their business, and to sell, and dispose of, the property, real, and personal, of said company.

SECTION 2. That a majority of said corporators, herein named, may proceed to open books, for subscription to the capital stock of the company, at Providence; and when five hundred shares of stock are subscribed for, and fully paid, in money, or property, as herein provided for, the corporators, named in this act, or a majority of them, shall call a meeting of the stockholders, for holding the first election of directors of said company; and when said election is made, this act shall take full effect; each share of stock shall be entitled to one vote, and stockholders may vote in person, or by proxy.

Subscriptions  
to stock.

When election  
of directors to  
be held.

Votes.

SECTION 3. That the capital stock of said Carter Edge Tool and Agricultural Implement Manufacturing Company, shall be one hundred thousand dollars, to be divided into shares of one hundred dollars each, with the right, and power, in said company, to increase its capital stock, from time to time, as it may elect, to any sum, not exceeding the whole cost, to said company, of its lands, and buildings, works, improvements, material, stock, and other property, but in no event to exceed the sum of two hundred thousand dollars; the subscription to the capital stock may be made payable in money, or in real, or personal property, appropriate to the business, contemplated by this act, at a fair valuation, to be agreed upon by a majority, in interest, of its stockholders, at the time of such purchase; and such purchase may include the real and personal property of Pulaski Carter, now used for manufacturing scythes, and axes, and other tools, and known as the Capouse property.

Capital stock.

Limitation.

How payable.

SECTION 4. That the affairs of said company shall be managed and conducted by a board of directors, to consist of not more than nine, nor less than five, as may be determined from time to time, by the stockholders, at any annual meeting; said board of directors shall be stockholders, and shall be elected annually, after the first election, as herein provided for, and shall hold their office for one year, and until their successors are elected; but any failure, or omission, to elect such directors annually, shall in no wise impair, or affect, meanwhile the rights, and powers, of those holding over, or the rights and interest of said company, in any way; said board of directors shall elect a president from one of their number, and shall appoint a secretary, a treasurer, and such other officers, or agents, as they may deem necessary, to manage the affairs of the company, and shall fill all vacancies occurring in their own body, until the next succeeding election, by stockholders; and a majority of said board shall constitute a quorum for the transaction of business; they shall have power to make by-laws, for the regulation of the affairs of said company, subject to the revision and approval of the stockholders, and not inconsistent with the laws of this commonwealth.

Management.

Failure to hold  
election not to  
affect rights of  
company, &c.

Officers.

Vacancies.

Quorum of di-  
rectors.

By-laws.

SECTION 5. That said company may borrow money, and create indebtedness, in such a way, and manner, as the board

**Authorized to borrow money, and issue securities therefor.** of directors may determine, for the prosecution of the business, and issue the securities of said company, for the same, in such manner, and payable in such places, as they may deem proper, and at a rate of interest not exceeding seven per centum, and dispose of such securities, in such manner, and in such places, as the board of directors may order.

**Individual liability.** SECTION 6. That the stockholders of said company shall be individually liable for all debts due mechanics, laborers, and workmen, employed by said company, to be sued for, and collected, as is provided in the twelfth, thirteenth, and fourteenth

**Executors, administrators, &c., relative to.** sections of an act, incorporating the Lackawanna Iron and Coal Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three: *Provided*, That executors, administrators, guardians, and all other trustees, who may hold stock, in their representative capacity, shall be

**Reservation.** entitled to represent the same, without being subject to personal liability therefor, or on account thereof; and that persons holding stock, pledged by the owners thereof, as collateral security, shall not be held personally subject to any liability as stockholders, and shall not be entitled to represent said stock at the meeting of stockholders, but the owners thereof shall be entitled to such representation as fully as though no such pledge had been given: *And provided further*, That the legislature hereby reserves the right to alter or amend this act, at any time; in such manner, however, as shall do no injustice to the stockholders; and that the said company pay

**Tax to state.** into the state treasury, a tax of one-half of one per centum upon their capital stock, in four annual payments.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 465.

## A Supplement

To an act, entitled "An Act to incorporate the Bedford Improvement Company," approved the nineteenth day of March, one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the Bedford Improvement Company, in locating, constructing, and using, lateral railroads, as provided for by its act of incorporation, shall have all the rights, and privileges, and be subject to all the restrictions, contained in the tenth, eleventh, fifteenth, and eighteenth, sections of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 466.

### A Further Supplement

To an act to authorize the Lehigh Coal and Navigation Company to extend their railroad from White Haven to Mauch Chunk.

WHEREAS, Under the provisions of an act, entitled "An Act to authorize the Lehigh Coal and Navigation Company to extend their railroad from White Haven to Mauch Chunk," approved the fourth of March, one thousand eight hundred and sixty-three, the said company, by writing, filed in the office of the secretary of the commonwealth, have signified their determination to repair certain parts of their slack-water navigation, above Mauch Chunk; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the election of the Lehigh Coal and Navigation Company, under the act to which this is a supplement, to repair certain parts only of their slack-water navigation, above Mauch Chunk, shall not be construed as a surrender, or abandonment, by the said company, of any rights, property, or franchises, heretofore granted to the said company, on the river Lehigh, or of any title, interest, or estate, heretofore vested in them, in, upon, or along, the site heretofore occupied by any portion of their said navigation or works, connected therewith, except the right to re-construct those portions of their said works, not included in their said election, and except, also, the right to charge tolls for lumber, or other things, passing upon the river, where the said navigation is not maintained by the said company.

Construction of provisions relative to keeping in repair certain parts of slack-water navigation.

Exceptions.

Rights, &c.,  
heretofore granted,  
confirmed.

SECTION 2. That all the rights, powers, privileges, and franchises, heretofore granted to the said company, subject to the exceptions expressed in the first section of this act, are hereby confirmed to the said company, and declared to be in full force and effect.

Title to property,  
embraced  
by certain mortgage,  
confirmed

SECTION 3. That the title of the said company, to the real and personal estate, embraced by their general mortgage, and deed of trust, of the seventh of March, one thousand eight hundred and forty-two, executed by authority of the act approved the sixteenth day of February, one thousand eight hundred and forty-two, shall not be impaired by their said election, to maintain parts only of their said navigation as aforesaid, and is hereby confirmed to the said company, absolutely, subject, however, to the lien and trusts of the said mortgage, and to any other liens that may exist thereon, and to any estate or right therein, of other persons, and subject as aforesaid; the said company may hold, possess, and enjoy, all the real and personal estate, now owned by them, and the managers may sell, and convey, or exchange, in fee simple, any part thereof, and in case of such sale, or exchange, may purchase, hold, and enjoy, an equal quantity of other real estate, on such terms, and conditions, as they may deem expedient.

Subject to.

Authorized to  
sell, or exchange,  
a part  
of real estate.

May purchase  
lands, &c.,  
mortgaged to  
company as security  
for certain investments.

SECTION 4. That the said company shall have authority to purchase, and hold, all such lands, and tenements, as shall, or may, be mortgaged to them, as security for the payment of moneys, invested as a sinking fund, provided for in their said general mortgage, and deed of trust, or that may be hereafter invested as a sinking fund, for the payment, or extinction, of any debt, or loan, which the said company are, or may be, authorized by law to contract.

Crossing of  
other roads,  
and erection of  
bridges over  
Lehigh, authorized.

SECTION 5. That the said company, in constructing their railroad, authorized by the act of fourth of March, one thousand eight hundred and sixty-three, or any branch, or extension, of the same, shall have authority to cross any other railroad constructed, or to be constructed, at grade, and to erect a bridge, or bridges, across the Lehigh river, at any point, or points, at which it may be necessary to cross with their said railroad, or any branch thereof.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 467.

## A Further Supplement

To an act to incorporate the Pennsylvania Railroad Company, approved the thirteenth day of April, Anno Domini one thousand eight hundred and forty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the charter of the Pennsylvania Railroad Company as forbids the location, and construction, of the route of their railroad through a place of public worship, without the consent of the owner, or owners, thereof, shall not prevent said company from passing under any place of public worship, with their tracks, by means of a tunnel, in constructing a branch railroad through the city of Pittsburg, from their main tracks, to connect with the railroad of the Western transportation company, on the south side of the Monongahela river, in the county of Allegheny: *Provided however,* That the said Pennsylvania Railroad Company, in passing under any place of public worship, as aforesaid, shall be subject to the same conditions, and provisions, of their said charter, as to the giving of bond, and the assessment, and payment, of damages, resulting from the construction of said branch road, as prescribe the mode of assessing damages for the construction of the main line of the said railroad: *Provided,* That the viewers appointed to assess damages, in any case provided for by this act, shall be resident freeholders in the city of Pittsburg; and if, in their opinion, any such place of public worship shall be so damaged, by the construction of said tunnel, as to render it unsafe to occupy the same, for the purposes intended, then the said viewers shall assess the damages at the full cash value of the buildings and lot so occupied.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 468.

## An Act

To lay out a State road in Berks, Lancaster, and Chester counties.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

**Commissioners.** That Jacob Y. Plank, of Berks county, Stephen Mast, of Lancaster county, and Jesse Evans, of Lancaster county, be and they are hereby appointed to view, and lay out, by courses, and distances, a state road, leading from Morgantown, in Berks county, beginning at a point near Springer and Company's store, on the Conestoga turnpike, in said village of Morgantown; thence by the nearest, and best, route to the East Brandywine railroad, near Peter Dampman's warehouse, in Honeybrook township, in Chester county.

**Route.**

**Duties of commissioners.** *SECTION 2.* That it shall be the duty of said commissioners, or a majority of them, after being sworn, or affirmed, before a justice of the peace, to perform the duties enjoined upon them, by this act, with fidelity, and impartiality, to carefully view the ground on which the said road may pass, and lay out, and mark, the same upon the ground, on the route agreed upon by them, for the road aforesaid, in such a manner as to enable the supervisors, of the respective townships through which the said road may pass, to readily find the same; and, also, that said commissioners be and they are hereby authorized, and empowered, to vacate any road, or parts of a road, which may be rendered useless, or unnecessary; and, also, to lay out any parts of said road, on the bed of any other road, or part of a road, heretofore constructed, or laid out, by law, or otherwise; and for the purpose of fulfilling the duties enjoined in this act, the said commissioners, or a majority of them, are hereby empowered to employ a competent surveyor,

**Authorized to vacate, or use, other roads.**

**Compensation of surveyor, &c.** at a per diem allowance of not more than three dollars, and two chain carriers, and one flag-staff bearer, at a per diem allowance, not exceeding one dollar and fifty cents each; and the said commissioners shall receive a per diem allowance, not exceeding two dollars each, per day, for every day necessarily employed in the discharge of the duties enjoined by this act, which shall be paid by the treasurers of the respective counties, through which the said road may be laid out, upon the rendition of the accounts of said commissioners, in proportion to the time employed in each county: *Provided*, That if any one of said commissioners perform the duty of surveyor, he shall receive an addition compensation of one dollar and fifty cents per day.

**Proviso.**

**Drafts.**

*SECTION 3.* That it shall be the duty of the surveyor to make out fair, and accurate, drafts, and reports, of the location of said road, respectively noting the courses, and distances, as they occur, with such matters as may serve for explanation,



one copy of said report to be deposited in the office of the clerk of quarter sessions, in the respective counties through which the said road may pass, on, or before, the first day of September; and from thenceforth the said road shall be a public highway, and shall be opened a width of thirty-three feet, at a grade not exceeding five degrees, except at the crossing of ravines, and streams, where, by reasonable cutting, and filling, or bridging, the declination may be preserved within that limit, and shall be opened, and repaired, as all other roads, laid out by counties, are made, and repaired.

Width of road,  
&c.

SECTION 4. It shall be the duty of said commissioners to procure from all persons, through whose land said road may be located, releases for all claims of damages, which might arise from opening said road; and in all cases, where a release cannot be obtained, it shall be their duty; and they are hereby empowered, to assess the damages, if any, and make report thereof, signed by them, or a majority of them, which, with the releases, shall be returned to the court of quarter sessions, of the respective counties in which such damages may accrue.

Damages, rela-  
tive to.

SECTION 5. That the commissioners shall proceed, as soon as practicable, to complete the location of said road; and if any vacancy occur in their number, by death, resignation, or otherwise, the same shall be supplied by the remaining commissioners, or commissioner, selecting a suitable person, or persons, to constitute a board of not less three members.

Vacancies.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 469.

## A Supplement

To an act to incorporate the Northern Soup Society of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the house and premises, situate at the north-east corner of Fourth and Peters streets, in the Twelfth ward of the city of Philadelphia, occupied by, and belonging to, the Northern Soup Society of Philadelphia, for the purpose of distributing soup, gratuitously, to the suffering poor, during the winter,

and as a free bathing house in the summer, be, and the same is hereby, declared exempt from taxation for county, city, and municipal purposes, so long as the same shall be used exclusively for charitable purposes.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 470.

## An Act

Authorizing a special tax in the township of White Deer, in the county of Union.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Supervisors authorized to levy a special tax.

That the supervisors of the township of White Deer, in the county of Union, are hereby authorized, and required, to levy, and assess, on all trades, occupations, professions, and property, in said township, now, by law, taxable, for state, county, or township purposes, a special tax, in addition to the taxes now authorized, by law, to be levied and assessed: *Provided*, That the special tax, so levied, and assessed, shall not exceed the sum of seven thousand dollars.

Proviso.

To be appropriated to payment of bounties.

SECTION 2. That money raised under and by virtue of this act, shall constitute a fund for the payment of all money paid by the citizens of said township of White Deer, to the soldiers' bounty fund, for the purpose of filling the quota of said township, under the late call of the President of the United States, for five hundred thousand men.

Certain persons exempt.

SECTION 3. That any person, who paid three hundred dollars commutation money, under the draft of one thousand eight hundred and sixty-three, shall be exempt from the payment of any of the tax authorized by this act.

How tax to be assessed and collected.

SECTION 4. That all levies, and assessments, made by virtue of this act, shall be assessed and collected in the same manner as other corporate taxes are now assessed and collected in said township, and may be included in duplicate of assessment, expressly for said purpose, and when collected,

shall be paid over to those who advanced the money to pay the soldiers' bounty.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 471.

*An Act*

To extend the provisions of an act to amend the fee bill, as to justices of the peace, in the counties of Erie and Crawford, to the counties of Berks, Cambria and Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after, the passage of this act, the fees to be received by aldermen, and justices of the peace, in the counties of Berks, Cambria, and Chester, shall be the same as the fees now receivable by justices of the peace, in the counties of Erie and Crawford, under the act of the eighteenth day of March, Anno Domini one thousand eight hundred and sixty-three, entitled "An Act to amend the fee bill, as to justices of the peace, in the counties of Erie and Crawford."

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN

No. 472.

## Supplement

To an act to extend the Waynesburg turnpike road, and to increase its corporate powers, approved the twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty, and extend the supplement to an act authorizing the governor to incorporate the Waynesburg Turnpike Road Company, and for other purposes.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Extension of  
road authorized

That the Waynesburg Turnpike Road Company is hereby authorized, and empowered, to extend the said road from the terminus thereof, at the east end of Morrisville, in Greene county, to a point on the Monongahela river, in Pennsylvania, subject to all the provisions, and restrictions, of an act regulating turnpike road companies, approved twenty-sixth January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

Subject to.

Repeal.

SECTION 2. That all acts, or parts of acts, inconsistent herewith, be and the same are hereby repealed.

Rates of toll on  
certain portion  
of road.

SECTION 3. That the first section of the supplement to an act authorizing the governor to incorporate the Waynesburg Turnpike Road Company, approved the second day of April, Anno Domini one thousand eight hundred and sixty, be and the same is hereby extended to the said road, east of Morrisville, as soon as the same, or any portion thereof, is completed by said company.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 473.

*A Further Supplement*

To an act, entitled "An Act to provide for the appointment of a reporter of the decisions of the Supreme Court of Pennsylvania," approved the eleventh day of April, one thousand eight hundred and forty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the third section of an act, entitled "An Act to provide for the appointment of a reporter of the decisions of the supreme court of the commonwealth of Pennsylvania," as limits the price of the said reports to four dollars per volume, and imposes a penalty for selling the same, at a higher price, be and is hereby repealed: *Provided*. The price shall not exceed four dollars and fifty cents per volume: *Provided*, That the penalty now existing for selling a volume for a price above four dollars, shall remain in force for selling a volume above four dollars and fifty cents.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 474.

*A Further Supplement*

To an act to incorporate the city of Harrisburg, in the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the mayor and common council, of the city of Harrisburg, be and they are hereby authorized to borrow any sum of money, not exceeding twenty thousand dollars, to meet an appropriation, for which the faith of said city was pledged, by a

resolution of said council, passed on the sixteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 475.

## An Act

Relating to the East Brandywine and Waynesburg Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and directors of the East Brandywine and Waynesburg Railroad Company may sue for, and collect, the amount unpaid on any subscription to the stock of said road, with interest, as prescribed by law, notwithstanding the sum of five dollars per share shall not have been paid at the time of subscribing, if the subscriber, in lieu thereof, shall have given his note, or obligation, for the amount that should have been paid in cash.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 476.

*An Act*

For the relief of John E. Carrol, late treasurer of Jefferson county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized, and required, to refund to John E. Carrol, late treasurer of Jefferson county, any money which may be found due him upon settlement of of his accounts.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 477.

*An Act*

Authorizing the county commissioners, of Wayne county, to refund to Virgil Grennell, late treasurer of said county, certain moneys.

WHEREAS, Virgil Grennell was treasurer of Wayne county, for the years one thousand eight hundred and fifty-seven, and one thousand eight hundred and fifty-eight :

*And whereas,* One hundred and thirty-one dollars and twenty-two cents, of the military fund, assessed in the year one thousand eight hundred and fifty-seven, was not collected until one thousand eight hundred and fifty-eight, and then applied to liquidate military claims, incurred in the year one thousand eight hundred and fifty-seven :

*And whereas,* The said sum of one hundred and thirty-one dollars and twenty-two cents was claimed by, and paid over to, the state, under the third section of the act of one thousand eight hundred and fifty-eight, for the regulation of the militia of this commonwealth :

*And whereas,* The said Virgil Grennell had paid this amount to the claimants, in Wayne county, and afterwards paid the same amount to the state ; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the county commissioners of Wayne county are hereby authorized to pay, to Virgil Grennell, late treasurer of said county, the sum of one hundred and thirty-one dollars and twenty-two cents, with interest, from August, Anno Domini one thousand eight hundred and fifty-nine.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 478.

## A Supplement

To an act, entitled "An Act to authorize the burgess and town council of the borough of Pittston to levy and collect a tax to pay bounties," approved March twenty-ninth, eighteen hundred and sixty four.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, to which this is a supplement, be and the same are hereby extended to the townships of Lackawanna, Blakely, and Kingston borough, in the county of Luzerne, except that the powers conferred upon the burgess and town council of the borough of Pittston, are hereby conferred upon the school directors of the said townships of Lackawanna and Blakely; and the duties imposed upon the said burgess and town council, are hereby imposed upon the said school directors; and all laws, inconsistent herewith, are hereby repealed, as far as relates to the said townships or borough.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 479.

**Supplement**

To the act to authorize the Cranberry Coal Company to build a railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, to which this is a supplement, entitled "An Act to authorize the Cranberry Coal Company to construct a railroad," be and the same is hereby so amended, as to authorize said construction, with all the powers, and subject to all the restrictions, of the general railroad law, approved February nineteenth, one thousand eight hundred and forty-nine, and the several supplements thereto.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 480.

**An Act**

Prescribing the time and manner of submitting to the people, for their approval and ratification, or rejection, the proposed amendments to the Constitution.

WHEREAS, A joint resolution, proposing certain amendments to the constitution of this commonwealth, has been agreed to by a majority of the members elected to each house of the legislature, at two successive sessions of the same, the first session commencing on the first Tuesday of January, in the year of our Lord one thousand eight hundred and sixty-three, and the second session commencing on the first Tuesday of January, in the year of our Lord one thousand eight hundred and sixty-four:

Preamble.

*And whereas, It is provided in the tenth article of the constitution, that any amendment, so agreed upon, shall be submitted to the people, in such manner, and at such times, at least three months after being so agreed to by the two houses, as the legislature shall prescribe, such submission to be in such manner, and form, that the people may vote for, or against, each amendment, separately, and distinctly; therefore,*

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Governor to issue writs to sheriffs.

Sheriffs to give notice of election.

Time and places of holding election.

Duty of judges, &c.

Tickets, relative to.

Manner of voting.

That for the purpose of ascertaining the sense of the people of this commonwealth, in regard to the adoption, or rejection, of said amendments, or either of them, the governor of this commonwealth shall issue a writ of election, directed to each, and every, sheriff of this commonwealth, commanding them to give notice, in the usual manner, in not less than two newspapers in each city, and county: *Provided, That so many are published therein, and by at least two printed handbills, in each election district, of every city and county, wherein no newspaper is published, that an election will be held, in each of the townships, boroughs, wards, precincts, and districts, therein, on the first Tuesday of August, in the year of our Lord one thousand eight hundred and sixty-four, for the purpose of deciding upon the approval and ratification, or rejection, of the said amendments; which said election shall be opened, held, and closed, upon the day last aforesaid, at the places, and within the hours at, and within, which the general elections of this commonwealth are directed to be opened, held, and closed; and it shall be the duty of the judges, inspectors, and clerks, of each of said townships, boroughs, wards, precincts, and districts, to receive, at the said election, tickets, not exceeding the number of proposed amendments, either written or printed, or partly written and partly printed, from each of the qualified voters of this state, who may offer the same, and to deposit them in a box, or boxes, to be for that purpose provided by the proper officers; which tickets shall be, respectively, labelled, on the outside, "First Amendment," "Second Amendment," and "Third Amendment;" and those who are favorable to said amendments, or any of them, may express their approval thereof by voting, each, as many separate, written or printed, or partly written and partly printed, ballots, or tickets, as there are amendments approved by them, containing, on the inside thereof, the words, "For the Amendment;" and those who are opposed to such amendments, or any of them, may express their opposition by voting, each, as many separate, written or printed, or partly written and partly printed, ballots, or tickets, as there are amendments not approved by them, containing, on the inside thereof, the words, "Against the Amendment;" the electors, voting for, or against, the first amendment, shall be considered as voting for, or against, the proposed fourth section to article three of the constitution, extending the right of suffrage to soldiers; electors, voting for, or against, the second amendment, shall be considered as voting for, or against, the proposed eighth section to article eleven*

of the constitution; and electors, voting for, or against, the third amendment, shall be considered as voting for, or against, the proposed ninth section to article eleven of the constitution.

SECTION 2. That the election, on the said proposed amendments, shall, in all respects, be conducted as the general elections, of this commonwealth, are now conducted; and it shall be the duty of the return judges of the respective counties, and districts, thereof, first having carefully ascertained the number of votes given for, or against, each of said amendments, in the manner aforesaid, to make out duplicate returns thereof, expressed in words, at length, and not in figures, only; one of which returns, so made, shall be lodged in the prothonotary's office, of the court of common pleas, of the proper county, and the other sealed, and directed, to the secretary of the commonwealth, and by one of said judges deposited, forthwith, in the most convenient post office, upon which, postage shall be prepaid, at the expense of the proper county.

Election, how to be conducted.

Mode of making returns.

SECTION 3. That it shall be the duty of the secretary of the commonwealth, on the twenty-third day of August next, before four o'clock, post meridian, to deliver to the speaker of the Senate, or the speaker of the House of Representatives, the returns of the said election, from the several counties of the commonwealth; and the same shall, on the same day, and hour, be opened, and published, in the presence of the members of the Senate and House of Representatives; and the number of votes given for, and against, said amendments, respectively, shall be carefully summed up, and ascertained, and duplicate certificates, of the result, shall be signed by the speakers of the two houses. One of said certificates shall be delivered to the secretary of the commonwealth, who shall cause the same to be recorded and filed in his office, and the other of said certificates shall be delivered to the governor, who shall forthwith issue his proclamation, declaring whether the said amendments, or either of them, have been approved, and ratified, by a majority of the qualified voters, of this state, voting thereon: *Provided*, That if, for any cause, a quorum of either house of the legislature, shall not be present, at the day, and hour, above mentioned, then the said votes shall be opened, in the presence of such members, of said houses, as shall be present; and, in case of the absence of the speaker, of either of said houses, the said certificates shall be signed by the speaker present; or, in case of the absence of both speakers, by the chief clerks of both houses, or either of them, in case of the absence of one of said clerks.

Duty of secretary of the commonwealth.

Opening of returns.

Certificates.

Governor to issue proclamation declaring the result.

Returns may be opened in presence of less than a quorum of legislature.

Certificates may be signed by clerks, in absence of speakers.

Duties of sheriffs, commissioners, &c.

SECTION 4. That the several duties required to be performed by the sheriffs, commissioners, constables, judges, inspectors, and all other officers, whatever, in, and about, the general elections of this commonwealth, shall be performed, by such officers, in, and about, the election herein provided for; and all persons, whether officers, or others, shall be liable to the same punishment, for the neglect of any duty, or the commission of any offence, at, in, or about, the said election, as they would, for the neglect of like duty, or the commission of like

offence, at, in, or about, the general elections of this commonwealth.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 481.

## An Act

To incorporate the Paxton Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners.

That William Colder, A. Boyd Hamilton, Joshua Elder, John H. Brant, Simon Cameron, Henry M'Cormick, and Abner Rutherford, be and they are hereby appointed commissioners, to open books, receive subscriptions, and organize a turnpike road company, with power to construct an artificial road from any point at, or near, Hanna street, in the city of Harrisburg, in its course passing the north front of the Dauphin county poor house, and by the most direct, and eligible, route, to a point on the Harrisburg, Ephrata, and Downingtown turnpike road, at, or near, the residence of John P. Rutherford, in the county of Dauphin, subject to all the provisions, and restrictions, of an act regulating turnpike companies, approved January twenty-sixth, one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as they are hereby altered, and supplied; and the capital stock, of said company, shall consist of one thousand shares, of ten dollars each, with liberty to increase the same, at any time, by a vote of the stockholders, so much as may, in their opinion, be necessary to complete the road hereby authorized.

Route.

Subject to.

Capital stock.

Authorized to use parts of any public, or private, road.

Court to appoint viewers to vacate the same.

Damages.

SECTION 2. That it may be lawful for said company to make use of the whole, or any part, of any public, or private, road, in the location of their route; and the court of quarter sessions, of Dauphin county, shall, upon the application of any two of its stockholders, appoint three viewers, to view, and vacate, such parts of any road, as shall be used, or rendered unnecessary, by the construction of the road hereby authorized; and if any damages accrue upon such view, they shall be paid by said turnpike company.

SECTION 3. That the said company shall have power to erect When tolls may  
a toll-gate, whenever one mile of said road is completed ; and be collected.  
but one toll-gate shall be erected on said turnpike, and the  
length of the road shall be no bar to the collection of all the  
tolls authorized in the act under which this road is incorporated.

SECTION 4 That said company may have authority to bor- May borrow  
row money, and mortgage their road, at any time, for a sum money.  
not exceeding five thousand dollars.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one  
thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 482.

## A Supplement

To an act, entitled "An Act for the registration of births, marriages and  
deaths, in the city of Philadelphia," passed the eighth day of March,  
one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Represen-  
tatives of the Commonwealth of Pennsylvania in General Assem-  
bly met, and it is hereby enacted by the authority of the same,*  
That the health officer, in lieu of the compensation provided  
by the thirteenth section of said act, shall be paid in the man-  
ner therein provided, the sum of nine hundred dollars per  
annum.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one  
thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 483.

*An Act*

Relative to railroads using steam in the city of Philadelphia.

WHEREAS, The public safety, and convenience, require that the railroads using steam should, whenever it is reasonably convenient, pass over, or under, the public highways; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the tenth section of the act, approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five, entitled "A supplement to the act consolidating the city of Philadelphia," shall not apply to any railroad chartered, or which may hereafter be chartered, authorized, by law, to use steam as a motive power, and shall only apply to passenger railways using public streets, laid out according to law.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 484.

*An Act*

Extending the provisions of the second section of the act of April tenth, one thousand eight hundred and forty-nine, entitled "An Act relative to sheriff's sales, and the appointment of trustees, in the county of Philadelphia, et cetera," to the several counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the second section of the act of April tenth, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act relative to sheriff's sales, and the appointment of trustees in the county of Philadelphia, et cetera,"

be and the same are hereby extended to the several counties of this commonwealth.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 485.

## An Act

To repeal the special road law in Texas township, Wayne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act relating to the selling of the repairing of the public roads in the township of Texas, in the county of Wayne," approved the twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three, be and the same is hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 486.

## An Act

Regulating the mileage fees of constables in the county of Bucks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Mileage fees of constables. That from, and after, the passage of this act, the mileage fees of constables, in the county of Bucks, shall be five cents per mile, circular.

Repeal. SECTION 2. That so much of any act, or parts of acts, as is, or are, inconsistent herewith, be repealed, so far as relates to the county of Bucks.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 487.

## An Act

To change the road laws in the township of Newberry, York county.

SPECIAL ROAD LAWS REPEALED. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all special laws, relating to roads, in the township of Newberry, York county, be and the same are hereby repealed, and the general road laws of this state are made applicable to said township.

CERTAIN ACT EXTENDED TO. SECTION 2. That a special law, entitled "Relating to roads and bridges in the county of York," approved the eighteenth day of February, Anno Domini one thousand eight hundred and sixty, be and is hereby made applicable to said township of Newberry.

SUPERVISORS, RELATIVE TO. SECTION 3. That the three supervisors now elected and qualified for the said township of Newberry, shall exercise their office until the next election for township officers, and shall receive for their services, the same compensation now allowed by the general road laws of this commonwealth.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 488.

**An Act**

Relating to the payment of bounties to volunteers, in Washington county, and to extend the provisions of the relief laws to the families of substitutes for drafted men, in said county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the school directors of the several townships, boroughs, and wards, in the county of Washington, or any of them, to levy, and collect, a tax, in their respective townships, boroughs, or wards, for the purpose of re-imbursing all moneys that may have been advanced by individuals, for the payment of bounties to volunteers.

School directors authorized to levy tax for payment of bounties.

**SECTION 2.** *And be it further enacted by the authority of the same,* That in all cases where veteran soldiers have re-enlisted, and been credited to any special locality, in said county, and have received no local bounty, it shall be lawful for the school directors, of said special locality, to pay to each of said veterans such bounty as they may deem proper, not to exceed three hundred dollars.

Bounty to be paid by directors to all veterans re-enlisting.

**SECTION 3.** *Be it further enacted,* That all the provisions of an act, entitled "An Act to create a loan, and provide for arming the state," approved the fifteenth day of May, eighteen hundred and sixty-one, which provides relief for the families of volunteers, in the service of the United States, be, and the same are hereby, extended to the families of all those who have, or may hereafter, enter the service of the United States, as substitutes in the county of Washington.

Provisions of relief laws extended to families of substitutes.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 489.

**An Act**

To incorporate the Honey Brook Coal Company.

	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i>
Corporators.	That S. M'Henry, Robert M. Lindsay, J. K. M'Callum, R. R. Robb, and Edwin O. Root, and their associates, successors, and assigns, be and they are hereby constituted a body politic, and corporate, under the name, style, and title, of the Honey Brook Coal Company, by which name the said corporators shall have perpetual succession, and enjoy all the privileges, incidents, and franchises, usually pertaining to a corporation, and not inconsistent with the powers and duties herein set forth, for, and during, the space of twenty years from and after the passage of this act; and that the capital stock of said company shall be two million of dollars, with the privilege of increasing the same, from time to time, to any amount not exceeding three millions of dollars, to be divided into shares of fifty dollars each; the above named persons, or such of them as shall by signature, accept this charter, and such as they shall associate with them, shall meet, as soon as convenient, after the passage of this act, and after giving at least five days' notice, of the time, and place, of a future meeting, for the purpose of considering the provisions of this act, and completing the organization under the same, shall proceed to elect, by ballot, five directors, for the term of one year thereafter, and until their successors shall be duly elected; and annually thereafter, the stockholders, in said company, shall meet at such time, and place, as shall be appointed by the directors, to elect directors for said company, to serve one year, and until their successors shall be duly elected; each share of stock shall entitle the holder thereof to one vote, and the directors, so chosen, shall elect one of their number as president of the corporation; and all other officers, and agents, of the corporation shall be elected, and appointed, as shall be prescribed by the by-laws; upon notice of the acceptance of the provisions of this act, and the due organization of the board of directors, in the manner aforesaid, to the governor of this commonwealth, there shall be granted, in the usual form, letters patent to the corporators.
Title.	
Privileges.	
Capital stock.	
Organization.	
Election of directors.	
Votes.	
Officers.	
Letters patent.	
Authorized to hold coal lands, mineral rights, &c.	SECTION 2. That it shall be lawful for the said corporation, to have, and to hold, coal lands, coal or mineral rights, and estates, in such lands, or mineral rights, in fee simple, or for a term of years, or in fee simple, as to a part, and for a term of years, as to a part, and in cases of terms for years, subject to such reasonable rent per ton, on all coal, or other minerals, as may be agreed upon; and it shall and may be lawful for said corporation, by its board of directors, to place a

valuation upon said lands and estates, for years, as it shall deem prudent, and right, and the same to convert unto a common stock, which shall be divided into a convenient number of shares, and apportioned among the several corporators, according to such interests, as they may have or acquire therein respectively, immediately before the conveyance of such lands, or estates, to said company, and for which certificates of stock shall be issued from time to time, as said lands and estates are acquired, signed by the president, with the corporate seal thereto affixed, and attested by the secretary; such certificates shall be issued, and made transferable, as the directors may prescribe, by their by-laws; and the shares of stock, so created, shall, for all purposes, be deemed and treated as personal estate; that in like manner certificates of stock may be issued, for all personal property, and moneys subscribed or paid into said company, for the making of any of the improvements, or openings upon their lands, or estates, or for any other lawful purpose of the said company.

Certificates of stock, relative to.

SECTION 3. That the lands, and mineral rights, which said company may purchase, and hold, in fee simple, as aforesaid, shall not exceed three thousand acres, and be located in the townships of Sugar Loaf and Hazel, in Luzerne county, Banks, in Carbon county, and Rush and Union, in Schuylkill county, or in some of them; and for the purpose of developing, improving and working such mineral lands, and mineral rights, it shall be lawful for the Honey Brook Coal Company to erect dwelling houses, and other necessary buildings, also, all necessary machinery, for mining and working purposes; and that the said company are hereby authorized to construct railroads, leading from the mines, to connect with any other railroad, or roads, not exceeding ten miles from said mines.

Location, and amount of lands to be held.

Erection of buildings, construction of railroads, &c. authorized.

SECTION 4. That this corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock, hereby authorized, and hereafter created, in four equal annual instalments; and the stockholders, in the said company, shall be individually liable for all debts due mechanics, workmen, and laborers, employed by the said company, and for all materials, and provisions, furnished to said company, in the same manner, and to the same extent, that stockholders in companies, created under the provisions of the aforesaid act of assembly, relative to joint tenants, tenants in common, and adjoining owners of mineral lands, and the several supplements thereto, are made liable for debts of such companies; and the said company may make semi-annual dividends, or oftener, if the board of directors shall so determine, of the net profits, and receipts, of the same, to, and among, all the stockholders in said company; that said company shall be subject to such taxation, as is imposed upon other corporations, by the general laws of this commonwealth.

Bonus.

Individual liability.

Dividends.

Taxation.

SECTION 5. That it shall and may be lawful, for said company, to borrow, at a rate of interest, not exceeding seven per cent., for any of the lawful purposes of said company, such sum or sums of money, as said company may need or desire, and to issue their coupon bonds therefor, in sums not less than one hundred dollars each, and to secure the same by

May borrow money, and issue bonds therefor.

a mortgage, or mortgages, of all their lands, estates, buildings, improvements, and corporate franchises.

Reservation.

SECTION 6. That the legislature reserves the right to amend or repeal this act, if the same shall hereafter be considered incompatible with the general good of the commonwealth, but in such wise, nevertheless, as to do no injustice to stockholders, purchasers, and lessees, of said lands.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 490.

## An Act

To incorporate the Fulton Gold Mining Company of Colorado.

- SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That T. M. Johnson, W. H. Russell, John Daly, William P. Hacker, Alfred A. Adolph, Joseph A. Manheimer, and their associates, be, and they are hereby, created a body politic, by the name, style, and title, of the Fulton Gold Mining Company of Colorado, and by such name, and title, shall have perpetual succession, and shall be capable of suing, and being sued, impleading, and being impleaded, and of granting, and of receiving, in its corporate name, property, real, personal, and mixed, and of holding, and improving, lands in Colorado territory, and to obtain therefrom any, and all, minerals, and other valuable substances, whether by working, or mining, or leasing, or disposing of privileges to work, or mine, such lands, or any part thereof, and to erect houses, and such other buildings, and works, as may, in the opinion of the managers of the corporation, appertain to said business; and to use, let, lease, or work, the same, and to dispose of the products of all such lands, mines, and works, as they may deem proper.
- By-laws. SECTION 2. That the said company shall have power to make such by-laws, as they may deem proper, to enable them to carry out the objects of the corporation, and the same to alter, amend, add to, or repeal, at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of this commonwealth, or the provisions of this act; and to adopt a common seal, and the same to alter at pleasure; and to issue
- Corporators.
- Title.
- Powers and privileges.
- Proviso.
- Seal.

certificates of stock, representing the value of their property, Certificates of in such form, and subject to such regulations, as they may, stock. from time to time, by their by-laws, prescribe, and to regulate, and prescribe, in what manner, and form, their contracts, and obligations, shall be executed.

SECTION 3. That the corporators, of this act, shall elect per- Election of di- sons to serve as directors of this company, a majority of whom rectors. shall constitute a quorum, for the transaction of business, and shall hold their offices until their successors shall have been elected, in accordance with the by-laws.

SECTION 4. That it shall be lawful for said company to es- Offices. tablish the necessary offices, for the business of the company, wherever their business is located, and to have their principal in the United States, in such places as they may deem expedient, at which place it shall be lawful to hold all meetings for the transaction of the business of the company.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 491.

## An Act

To incorporate the Greenwood Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William M. Davidson, Joseph H. Seaver, Frederick S. Kimball, William Y. Agard, George A. Nichols, and Henry C. Cochran, and their associates, successors, and assigns, be and they are hereby constituted a body politic, and corporate, under the name, style, and title, of the Greenwood Coal Com- Name. pany; by which name the said corporators shall have perpetual succession, and enjoy all the privileges, incidents, and franchises, usually pertaining to a corporation, and not inconsistent with the powers, and duties, herein set forth, for, and during, the space of twenty years, from, and after, the passage of this act; and that the capital stock of said company Capital stock. shall be one million of dollars, with the privilege of increasing the same, from time to time, to any amount, not exceeding three millions of dollars, to be divided into shares of fifty dol-

	lars each : the aboved named persons, or such of them as shall, by signature, accept this charter, and such as they shall associate with them, shall meet, as soon as convenient, after the passage of this act, for the purpose of completing the organization under this act, and enacting by-laws, for the government of the corporation : at such meeting they shall proceed to elect, by ballot, five directors, to serve until the first election of directors, in accordance with the by-laws ; and annually, thereafter, the stockholders, in said company, shall meet at such time, and place, as shall be prescribed by the by-laws, to elect directors for said company, to serve one year, or until their successors shall be duly elected ; each share of stock shall entitle the holder, thereof, to one vote ; the directors, so chosen, shall elect one of their number as president, and all other officers, and agents of the corporation, shall be by them elected, and appointed, as shall be prescribed by the by-laws ; upon notice of the acceptance of the provisions of this act, and the election of the board of directors, in the manner aforesaid, to the governor of this commonwealth, there shall be granted, in the usual form, letters patent, to the persons named in this act, and their associates, as corporators.
Organization. By-laws.	
Election of directors.	
Votes.	
Officers.	
Letters patent.	
Authorized to hold coal lands, mineral rights, &c.	SECTION 2. That it shall be lawful for the said corporation to have, and to hold, coal lands, coal, or mineral rights, and estates, in such lands, or mineral rights, in fee simple, or for a term of years, or in fee simple, as to a part, and for a term of years, as to a part ; and to let the same for terms of years, subject to such reasonable rent, per ton, on all coal, or other minerals, as may be agreed upon ; and it shall, and may, be lawful for said corporation, by its board of directors, to place a valuation upon said lands, and estates, for years, as it shall deem prudent, and right, and the same to convert into a common stock, which shall be divided into a convenient number of shares, and apportioned among the several corporators, according to such interests as they may have, or acquire therein, respectively, immediately before the conveyance of such lands, or estates, to said company, and for which certificates of stock shall be issued, from time to time, as said lands, and estates, are acquired, signed by the president, with the corporate seal thereto affixed, and attested by the secretary : such certificates shall be issued, and made transferable, as the directors may prescribe by their by-laws, and the shares of stock, so created, shall, for all purposes, be deemed, and treated, as personal estate ; that, in like manner, certificates of stock may be issued for all moneys subscribed, or paid into said company, for the making of any of the improvements, or openings upon their lands, or estates, or for any other lawful purpose of the said company.
Certificates of stock, relative to.	
Location of lands.	SECTION 3. That the lands, and mineral rights, which said company may purchase, and hold, in fee simple, as aforesaid, shall be located in the townships of Rush and Rahn, in the county of Schuylkill ; and the said company shall have the power, and right, to develop, improve, use, and enjoy, said lands, and mineral rights, and their estates, for a term of years, in the same manner, and like extent, as companies created under the provisions of the act of assembly of this common-
Powers and privileges.	

wealth, entitled "An Act to enable joint tenants, tenants in common, and adjoining owners of mineral lands, in this commonwealth, to manage, and develop, the same," approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-four, and the several supplements, may develop, improve, and enjoy, their lands, and estates; and that the company, hereby created, shall have, and possess, all other rights, and privileges, except those herein altered, or supplied, conferred by the aforesaid act, and its several supplements: *Provided however*, That the quantity of land, and mineral rights, which the company, hereby created, may have, and hold, in fee simple, as aforesaid, shall not exceed the quantity which companies, created under the provisions of the aforesaid act, and its supplements, may have, and hold, as aforesaid. Limitation as to amount of land.

SECTION 4. That this corporation shall pay, into the treasury of the commonwealth, a bonus of one-half of one per centum, on the capital stock hereby authorized, and hereafter created, in four equal annual instalments; and the stockholders, in the said company, shall be individually liable for all debts due mechanics, workmen, and laborers, employed by the said company, and for all materials, and provisions, furnished to said company, in the same manner, and to the same extent, that stockholders, in companies created under the provisions of the aforesaid act of assembly, relative to joint tenants, tenants in common, and adjoining owners, of mineral lands, and the several supplements thereto, are made liable for debts of such companies; and the said company may make semi-annual dividends, or oftener, if the board of directors shall so determine, of the net profits, and receipts, of the same, to, and among, all the stockholders in said company; that said company shall be subject to such taxation as is imposed upon other corporations, by the general laws of this commonwealth. Bonus.  
  
Individual liability.  
  
Dividends.  
  
Taxation.

SECTION 5. That it shall, and may, be lawful for said company to borrow, at a rate of interest not exceeding seven per cent., for any of the lawful purposes of said company, such sum, or sums, of money, as said company may need, or desire, and to issue their coupon bonds therefor, in sums not less than one hundred dollars each, and to secure the same by a mortgage, or mortgages, of all their lands, estates, buildings, improvements, and corporate franchises. May borrow money.

SECTION 6. That the legislature reserves the right to amend, or repeal, this act, if the same shall hereafter be considered incompatible with the general good of the commonwealth; but in such wise, nevertheless, as to do no injustice to stockholders, purchasers, and lessees, of said lands. Reservation.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 492.

**An Act**

To incorporate the Western People's Telegraph Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.	That E. W. Gould, R. W. Dorphley, Charles M. Cresson, Wm. Callow, E. F. Stone, Edward Shriver, Frederick Fickey, Junior, E. F. Reese, H. H. Wainwright, John M. Thompson, Thomas Robinson, Amos Lefever, Joseph L. Shorb, and Geo. Stonecipher, and their associates, and all other persons, who may become subscribers to the stock of the Western People's Telegraph Company, their successors, and assigns, be, and they are hereby, incorporated, and constituted, a body politic,
Name.	by the name, and style, of the Western People's Telegraph Company, and by said name shall have perpetual succession,
Privileges.	may sue, and be sued, plead, and be impleaded, in any court, or courts, whether of law, or equity, may make all covenants, contracts, and agreements, purchase, lease, hold, mortgage, encumber, and dispose of, all property, real, personal, and mixed, necessary for conducting the business of said company;
Seal.	may have, and use, a common seal, and the same alter, and renew, at pleasure; may pass, revise, alter, and annul, all such
By-laws.	by-laws, rules, and regulations, as are necessary, or convenient, for the government of the company, and its agents, and officers; and generally may do all acts necessary for the convenient transaction of the business of said company, not being contrary to the constitution, or laws, of the United States, or of this commonwealth, and shall have all the privileges, and franchises of, and incident to, a corporation.

Capital stock.	<b>SECTION 2.</b> That the capital stock, of said company, shall be the sum of one hundred thousand dollars, in shares of twenty dollars each; and said shares shall be represented by certificates, sealed with the common seal, and signed by the president, and countersigned by the secretary, of said company;
Certificates.	and the persons named in the first section, and each of them, and any persons authorized by a majority of them, may receive and take subscriptions to the said stock.

Meeting of subscribers.	<b>SECTION 3.</b> That within the period of three months after the passage of this act, the persons named in the first section of this act, or any three of them, shall appoint a time, and place, for a meeting of subscribers, and give notice thereof, by advertisement, at least twice a week, for three weeks, in some paper published in the city of Philadelphia, and, at such meeting, the subscribers to the stock shall first appoint three judges of election, and shall then elect, by ballot, from the number of subscribers, five directors, to manage the affairs of the company, in connection with the president, until the next general election of directors; and the said directors, or a majority of
Notice.	
First of election of directors.	



them, shall then elect, from their own number, or from the other subscribers, a president, and at this, and all other elections, each subscriber shall be entitled to one vote for every share held by him, her or it; and any person who may hold the written proxy of any stockholder, and may comply with laws, by-laws, and regulations, may cast the vote of such stockholder.

SECTION 4. That five directors shall be chosen, annually, from the stockholders, on the third Monday of July, in each year, and such directors, or a majority of them, shall elect a president, in the manner indicated in the preceding section; and such president, and directors, shall hold their offices until the election of their successors; and that, whenever, by this act, or any law, by-law, or regulation, an election is required to be made, on any particular day, the same may be held at any time within thirty days thereafter, notice thereof being given by publication, in the mode prescribed in the preceding section.

SECTION 5. That the president, and directors, or a majority of them, shall have power to appoint all judges of election, to fix the salary of the president, to elect a secretary, treasurer, and all other employees, and agents, of the company, and fix their salaries, to remove such secretary, treasurer, and other employees, and agents, other than president, at pleasure, to declare dividends of the profits, to prescribe the mode of transfer of stock, in case the same is not provided for by by-law, and generally may do all things necessary to carry out the purposes of this act, according to the true intent and meaning thereof.

SECTION 6. That the business of said company shall be the location, constructing, maintaining, and using, a line, or lines, of telegraph through Adams, Franklin, Fulton, Bedford, Somerset, Fayette, Westmoreland, Allegheny, Beaver, Lawrence, Butler, Mercer, Washington, and Greene counties, with liberty to connect with any other line, or lines, of telegraph, within, or without, this commonwealth; and the said company may erect, and construct, a line, or lines, of telegraph along, and upon, over, across, or under, any streets, roads, highways, canals, or waters, navigable, and unnavigable, within the limits of said counties, by the erection of all usual, and necessary, fixtures, including posts, piers, or abutments, for sustaining the wires, and other fixtures, or by any other means, or instruments, which may, from time to time, be adopted by said company; and, also, over, across, through, along, upon, or under, any other land within the limits aforesaid: *Provided*, The same shall not be so constructed as to interfere with the convenient use of said streets, roads, highways, or canals, or impede the navigation of said waters; and nothing herein contained shall be construed to authorize the construction of any bridge over any of said waters: *And provided also*, That such compensation shall, previous thereto, be made, or tendered, to the owner, or owners, of the land occupied for such purpose, as shall be agreed upon between the parties, or determined as hereinafter directed.

SECTION 7. That if the said company, and the owner, or

Damages, assessment, and settlement of.

owners, of any land through, over, or under, which the said line, or lines, shall pass, cannot agree upon the compensation to be paid by said company, or the damages done thereto, it shall be lawful for either party, by petition, in writing, setting out the facts, to apply to the court of common pleas of the county in which the land lies, and the said court shall at once appoint three indifferent residents of that, or of some adjoining, county, to act as viewers, and shall fix a time, not less than thirty, nor more than forty days, thereafter, for a meeting of said viewers, on the premises; and of such time, and place, ten days' notice shall be given to the viewers, and the other parties, by the petitioner, and on the day named the viewers shall meet upon the premises, and having first made oath, or affirmed, before the prothonotary, or a justice of the peace, justly, and equitably, without favor, or partiality, to assess the damages, if any, which have been, or are likely to be, sustained by the land-owner, from the construction of such line, or lines, as well as the benefit, if any, derived, or likely to be derived, from the construction of said line, or any works connected with the same. they shall assess such damages, if any, and, also, said benefits, and deduction of the benefits from the damages, make out a report, in writing, of the same, sign, and return, the same to said court, at, or before, the succeeding term; and said report shall have been confirmed, if the court deem proper to do so, it shall have the effect of a judgment of said court, carrying the costs of court, and shall be collectable as other judgments, of like amount, in said court, and shall be subject to reversal, on appeal, or writ of error, as other judgments, of like amount, are, or may be: *Provided however,* That if any one, on behalf the said company, shall tender to said owner, or owners, at any time prior to the application of viewers, a sum of money, in full compensation for any alleged damage, said company shall not be liable for any costs accruing upon any subsequent proceedings, unless such owner, or owners, may be awarded a larger amount than the sum so tendered.

Proviso.

Penalty for injuries, or obstruction to lines, &c.

SECTION 8. That if any person, or persons, shall wilfully destroy, injure, or obstruct, the said line, or lines, or any part thereof, or any works, or fixtures, connected therewith, such person, or persons, shall, on conviction for such offence, in any court of quarter sessions of this commonwealth, be sentenced to imprisonment, not exceeding one year, at the discretion of the court, in the jail of the proper county, and shall be liable to pay all damages; and such conviction shall be conclusive evidence of such destruction, injury, or obstruction, by such person, or persons, in any suit instituted against them by said company.

Official dispatches to have precedence.

SECTION 9. That all dispatches of officers of the United States, and of this commonwealth, relating to public business, shall have precedence of all others, and no greater sum shall be charged for them than for private dispatches of the same number of words, figures or characters.

Other corporations may subscribe.

SECTION 10. That any corporation, other than counties, townships, and municipal corporations, may become subscribers to such capital stock.

SECTION 11. That nothing contained in this act shall em- Prohibition.  
power the said company to issue any scrip, or other evidence  
of indebtedness, to be used as circulation, or as in the nature  
of money, or confer any banking privileges upon the company.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one  
thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 493.

## A Supplement

To an act to incorporate the Phoenix Hotel Company of Wilkesbarre, ap-  
proved the first day of May, one thousand eight hundred and sixty-  
one.

SECTION 1. *Be it enacted by the Senate and House of Represen-  
tatives of the Commonwealth of Pennsylvania in General Assem-  
bly met, and it is hereby enacted by the authority of the same,*  
That the capital stock of the said, the Phoenix Hotel Com- Capital stock,  
and number of  
managers. in-  
creased.  
pany, is hereby increased to a sum not exceeding one hundred  
and twenty-five thousand dollars, and the number of managers  
to nine, instead of five, of whom five shall constitute a quorum  
for the transaction of business.

SECTION 2. That the managers may declare the subscription Stock may be  
forfeited for  
non-payment  
of instalments.  
of stock forfeited, should there be a delay of sixty days, upon  
the part of any subscriber to the capital stock, to pay any  
one instalment ordered by the said managers. The said com-  
pany, by its managers, shall have the power to make neces-  
sary by-laws for the management, regulation, and business, of By-laws.  
the same, but they shall not conflict with the constitution of  
the United States, or of this state, or the laws thereof.

SECTION 3. Any part of the act to which this is supplemen- Repeal.  
tal, which is inconsistent herewith, is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one  
thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 494.

**An Act**

To enable John C. Smith, of Montgomery county, to sell, and convey, real estate.

WHEREAS, Rebecca M. Smith, the wife of John C. Smith, of Montgomery county, is now insane, and has been so declared by the court of common pleas of said county, and such insanity has continued, without lucid intervals, for the period of twelve years, and upwards, and after a treatment, for said insanity, in the Pennsylvania hospital, under the charge of Dr. Kirkbride, for about the period of one year, or more, in one thousand eight hundred and fifty-one, and one thousand eight hundred and fifty-two, when the said Rebecca M. Smith was pronounced incurable, and discharged from said institution :

*And whereas,* The said John C. Smith is, more or less, engaged in buying, and selling, real estate ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said John C. Smith, at all times hereafter, shall have full power, and authority, to transact all business relating to the management, or disposition, of his real estate, and have power to convey the same, in fee simple, in as full, and ample, manner as he might, or could, do if his said wife was sane, and gave her full consent thereto by joining in the conveyance : *Provided however,* If the said Rebecca M. Smith shall, at any time hereafter, by the court of common pleas of Montgomery county, be found of sane mind, then from the time of said finding, and decree of the court thereon, this act shall cease, and be of no force and effect.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 495.

## An Act

To incorporate the Phoenix Mining Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Reeves, of Chester county, Samuel J. Reeves, of Philadelphia, George H. Sellers, George Walters, Joseph B. McAlister, Thomas Shaffer, Davis Keeley, Joseph Johnson, David Euen, Jonas Bossard, Alexander Kennedy, Benjamin Prizer, Samuel Bartlett, Abraham Buckwalter, Isaac Tustin, Levi Prizer, Enoch Jones, Samuel Keims, Elias Oberholser, John Todd, Joseph Butler, Jacob Bierbower, Oliver Brownback, Alfred B. Scull, and Peter G. Carey, of Chester county, or any five of them, be and they are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, by the name, style, and title, of the Phoenix Mining Railroad Company, with power to construct a railroad from a point on the Philadelphia and Reading railroad, at, or near, Phoenixville, in Chester county, and thence, by the most available route, to connect with any railroad, or railroads, now built in the county of Chester; and the said railroad company shall be entitled to all the privileges, and be subject to all the provisions, and restrictions, prescribed by an act regulating railroad companies, approved the nineteenth day of February, Anno Domini eighteen hundred and forty-nine; and it shall be lawful for the Phoenix Iron Company to subscribe for the stock, or loans, of said company.

SECTION 2. That the capital stock, of said company, shall consist of two thousand shares, of fifty dollars each: *Provided,* That the said company may, from time to time, by a vote of the stockholders, or otherwise, as hereinafter provided, increase their capital stock to an amount sufficient to complete, and equip said road, and to carry out the true intent, and meaning, of this act.

SECTION 3. That said railroad company is hereby authorized to construct branch, or lateral, railroads, not exceeding nine miles in length, to any mines, quarries, or manufactories, or to connect with any other railroads in the county of Chester, to project, and construct, additional tracks, sidings, turnouts, depots, water stations, engine houses, shops, offices, telegraph wires, and all necessary buildings, houses, shops, and offices, together with platforms, and shutes, for loading, and unloading, ores, and minerals; and whenever the said company shall enter upon lands, for the purposes aforesaid, they shall stake off, and designate, the boundaries of the same, and make an accurate survey, and draft, thereof, on which shall

Title.

Route.

Privileges.

Subject to.

Phoenix Iron  
Company may  
subscribe.

Capital stock.

Construction of  
lateral roads to  
mines, &c., au-  
thorized.May connect  
with other  
roads, &c.

be based all legal proceedings, for the recovery, or adjustment, of damages.

Authorized to borrow money.	SECTION 4. That the president, and directors, of said company, shall have power to borrow money, from time to time, in such sums, and at such rates of interest, as they may think proper, for the construction of said railroad, and the procuring of the rolling stock therefor, and to pledge the said road, rolling stock, or franchises, or any part thereof, for the payment thereof: <i>Provided</i> , That said company shall not issue bonds for a less denomination than one hundred dollars, and the said bonds may be convertible into capital stock of said company, at the option of the holder thereof, or otherwise, as the said president and directors may elect.
Bonds.	
Damages, assessment, and payment, of.	SECTION 5. That in all cases, where the said company, and the owners of land, and materials, cannot agree upon the amount of damages, claimed either for land, or materials, the said company may tender a bond, with sufficient security, to the party claiming damages, the condition of which shall be, that the company will pay, or cause to be paid, such amount of damages as the party shall be entitled to receive, after the same shall have been agreed upon by the parties, or assessed according to law: <i>Provided</i> , That in case the party, or parties, claiming damages, refuse to accept the bond, or bonds, tendered by said company, the said company may, in such case, present their bond, or bonds, to the court of common pleas, of the proper county, or any one of the judges thereof; and if the said court, or any one of the judges thereof, approve the security, they shall direct the said bond, or bonds, to be filed in the prothonotary's office of said court, for the benefit of those interested; whereupon the said company may enter upon, and take possession of, such land, and materials.
Proviso.	
In cases of minors, lunatics, &c., guardians, or committees, may adjust damages.	SECTION 6. That in all cases, in which the owners of lands, and materials, are minors, lunatics, or habitual drunkards, it shall, and may, be lawful for the guardians, or committee, of such owners, and the said company, amicably to adjust the amount of damages to be paid, if they can agree, and on payment of the amount, it shall be lawful for such guardians, or committee, to release said company from all claims therefor, and to execute all necessary papers in the premises; in case the said parties cannot agree, the said company may proceed, as is provided for in the fifth section of this act.
Number of directors.	SECTION 7. That the number of directors shall be eight, and the president, and four directors, or five directors, of said company, shall constitute a quorum to do business.
Quorum.	
When road to be completed.	SECTION 8. That said Phœnix Mining Railroad Company shall complete their road, so far as to make it ready for running, in seven years from the first day of July, Anno Domini eighteen hundred and sixty-four; but the right to construct branches, sidings, stations, et cetera, as provided in section third of this act, shall not terminate with such completion, but shall continue as a part of the corporate power of said company: <i>Provided</i> , That said company shall pay a bonus of one-half of one per cent. upon the capital stock paid in, to be paid to the state treasury, in four equal, annual, payments, the
Construction of branches, &c., relative to.	
Bonus.	

first payment to be made in one year after the passage of this act.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No 496.

*An Act*

To incorporate the Meadville Telegraph Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That S. B. Dick, H. F. Sweetser, S. G. Magill, W. R. Brown, and L. D. Williams, and their associates, and such other persons as may hereafter become stockholders in said company, to be called the Meadville Telegraph Company, their associates, and assigns, shall be and are hereby made, and constituted, a body corporate, for the purpose of making, using, and maintaining, a telegraph line from Meadville, in the county of Crawford, to the city of Pittsburg, with the power to extend the same to Oil City; and by the said name, style, and title, of the Meadville Telegraph Company, shall have all the powers, rights, privileges, and immunities, and be subject to all the restrictions, and provisions, contained in an act, entitled "An Act to incorporate the Philadelphia and Wilkesbarre Telegraph Company."

Corporators.

Name.

Location, and construction, of line.

Privileges. Subject to.

SECTION 2. The persons named in the first section of this act, or any three of them, shall call a meeting, in the borough of Meadville, on the first Monday of September next, or at any time previous, of the corporate body hereby created, giving ten days' notice of the time, and place, of holding the same, in at least one newspaper, published in the county of Crawford, for the purpose of choosing a president, secretary, treasurer, and five directors; which directors, with the president, shall constitute the board of direction, for the management of the affairs of the said company: *Provided*, That the annual meetings of the said company shall be held at such time, and place, as may be prescribed by the by-laws, and that each share of stock shall be entitled to one vote, at all

Time, and place, of holding first meeting.

Notice.

Election of directors, and other officers.

Annual meetings.

Votes.

Enrolment tax. elections: *And provided further*, That the enrolment tax on this act shall be ten dollars.

HENRY C. JOHNSON, ‘

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 497.

## An Act

Relating to the Columbia Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Directors of Columbia Bank authorized to sell property, privileges, &c., of bridge company.

That the directors of the Columbia Bank be, and they are hereby, authorized, and empowered, by deed, in the name, and under the seal of the said corporation, to sell, and dispose of, absolutely, the piers, abutments, and all that remains of the bridge erected across the Susquehanna river, in Lancaster county, the land, property, and estate, appurtenant thereto, and heretofore used, in connection therewith, and all the appurtenances of every nature, and kind, whatsoever, to the said bridge, or which may be needful for the full, and complete enjoyment thereof, and all the rights, privileges, and franchises, thereto in anywise belonging, to any person, or persons, corporation, or corporations, for such price, or consideration, as a majority of the board of directors of said Columbia Bank may determine.

Rights of purchasers, &c., relative to.

SECTION 2. The purchaser, or purchasers, whether individual, or corporate, shall have all the rights, privileges, and franchises, except banking privileges, and be subject to all the restrictions, and penalties, contained in the act incorporating the Columbia Bridge Company, approved the twenty-eighth day of March, Anno Domini one thousand eight hundred and nine, and all supplements thereto, except as is herein otherwise provided.

Exception.

Purchasers may organize.

SECTION 3. That if the said bridge rights, and privileges, shall be purchased by any number of persons, exceeding six, it shall be lawful for a majority of such purchasers, to meet and organize themselves, and such persons, as may thereafter associate with them, into a corporation, under the name, and style, of the Columbia Bridge Company, with all the rights,

Name, and powers, of corporation.



powers, and franchises, aforesaid; the capital stock of said company shall be five hundred thousand dollars, divided into five thousand shares, of one hundred dollars each; and the said purchasers, at said meeting, shall have the power, fully, to organize the said corporation, to appoint a president, and five directors, who shall continue in office until the first Monday of June, succeeding such meeting, when, and annually thereafter, on said day, an election for president, and five directors, shall be held by the stockholders, each share of stock being entitled to one vote, and of which last named annual election, two weeks' notice shall be given, by publishing the same in one newspaper, published in the county of Lancaster; the directors of said company, so appointed, or elected, shall have power to issue bonds, in sums not less than one hundred dollars, and secure the same by a mortgage on their said bridge, its appurtenances, and corporate franchises, and upon all the estate and property of the said company, acquired, or to be acquired; and the said company shall have power to do whatever may be needful, to repair, or re-construct, the said bridge, and make the same, in all respects, safe, and suitable, and convenient, for railroad, and public travel; and any railroad company of this commonwealth, may subscribe to, and become, a stockholder thereof.

SECTION 4. It shall be the duty of the said corporation, within one month after its organization, and under the common seal thereof, to make a certificate, attested by their president, specifying the date of such organization, and transmit the same to the office of the secretary of state, at Harrisburg, and a certified copy thereof, shall be evidence of the existence of such corporation; and the said company shall have the right of altering, and changing, the position of the abutments of the said bridge, and the approaches thereto, so as to make them more convenient for railroad purposes; and for such purpose, may take, occupy, and use, all land, necessary in the opinion of the directors of the said company, for that purpose: *Provided*, That if the said company shall, for such purpose, take any of the lands of the Old Columbia Public Ground Company, or any private or corporate property, the damages therefor shall be assessed, secured, and paid, in the manner provided by the act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

Capital stock.

Election of president, and directors.

Votes.

Notice.

May issue bonds, and secure the same by mortgage.

Any railroad company may subscribe.

Certificate of organization to be filed.

Authorized to change position of abutments, and occupy lands.

Damages, relative to.

No. 498.

**An Act**

To incorporate the Malleable Iron Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Corporators.	That John Scott, William Davis, Jr., John Withers, John A. Wright, D. W. Woods, W. F. Biddle, John Stairs, Thomas M. Adams, and William H. Wommer, and such other persons as may be associated with them, or a majority of them, and their successors, be and the same are hereby erected into a
Name	body corporate, and politic, under the name, and style, of the Malleable Iron Company, for the purpose of manufacturing
Privileges.	iron from the ore, and manufacture the same into any shape,
Capital stock.	with a capital of two hundred thousand dollars, to be divided into four thousand shares, of fifty dollars each, with privilege
May issue bonds.	of issuing bonds, and securing the same by mortgage, on the property, and franchises, of the company, to the amount of one hundred thousand dollars, at rate of interest not exceeding seven per cent. per annum, with power to increase the stock, and bonds, to such amounts as the directors may deem
Proviso.	needful, to promote the interests of the company: <i>Provided,</i>
Subject to.	That no bond shall be issued for a less sum than one hundred dollars; the said company to be subject to all the conditions, and to be possessed of all the rights, and privileges, of an act, entitled "An Act to encourage the manufacture of iron with coke, or mineral coal, and for other purposes," approved June
May change name.	sixteenth, one thousand eight hundred and thirty-six, and the supplements thereto, for manufacturing iron with charcoal; and the directors shall, at any time, have the power to change the name of the company, and shall file, in the office of the secretary of the commonwealth, the name so adopted; and
Tax to state.	that the said company pay into the state treasury a tax of one-half of one per cent. upon the capital stock paid in, payable in four equal, annual, instalments.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 499.

## An Act

To incorporate the Lackawanna Valley Coal Company.

- SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Joseph H. Scranton, S. H. Pierce, and J. C. Platt, of the county of Luzerne, and such other persons as shall be associated with them, and their successors, be and the same are hereby erected into a body corporate, and politic, by the name, and style, of the Lackawanna Valley Coal Company; and the capital stock, of said company, shall consist of ten thousand shares, of one hundred dollars each, with power to increase the same, from time to time, by vote of the stockholders, to an amount not exceeding ten thousand shares additional. Corporators.  
Name.  
Capital stock.
- SECTION 2. That the affairs of said company shall be managed by a board of five directors, one of whom shall be the president, who shall be chosen by the stockholders; all elections shall be by ballot, and every share of stock subscribed, and paid in, shall entitle the holder to one vote. Board of directors, election of.  
Votes.
- SECTION 3. That this corporation shall have, and use, a common seal, and the right to change, alter, or amend, the same at pleasure; and by the style, and title, aforesaid, shall be capable, in law, to sue, and be sued, in the several courts of this commonwealth; and may make all needful rules and regulations, and by-laws, for the well ordering of the business, and affairs, of the corporation, so that the same shall not conflict with the laws and constitution of this state, or of the United States. Seal.  
By-laws.
- SECTION 4. That the said corporation may hold, in the county of Luzerne, lands not exceeding three thousand acres, with power to mortgage, sell, lease, or otherwise dispose of the same, or any part thereof, and all materials in, or upon, the same; the capital of said company may be employed in mining, and vending, iron ores, making, and manufacturing iron, mining coal, and limestone, and transporting, and vending, the same, and such other objects as are necessary in the prosecution of said business; and the said company shall have the right to construct, and operate, lateral railroads from their mines, either of coal, or iron, to connect with any railroad now constructed, or to be hereafter constructed, in the county of Luzerne. Authorized to hold lands.  
How capital to be employed.  
May construct lateral railroads.
- SECTION 5. That an annual report shall be made to the secretary of the commonwealth, and verified by the oath, or affirmation, of the president, or secretary, of said company, showing the amount of capital stock, of said company, paid in, of the number of acres of land held, the quantity of iron manufactured, and coal mined, for the current year. Annual report to be made to secretary of commonwealth.

When this act  
to take effect.

SECTION 6. That this act shall not take effect until one thousand shares of stock shall be subscribed, and paid in, of which a statement, containing the names of the subscribers, and the amount subscribed by each, verified by oath, or affirmation, shall be given to the governor, to be filed in the office of the secretary of the commonwealth; whereupon the governor shall issue letters patent to the corporators.

Letters patent.  
Authorized to  
borrow money  
upon bonds.

SECTION 7. That said company be and they are hereby authorized to borrow money, to an amount not exceeding one-half the capital stock, upon the bonds of said company, secured by one, or more, mortgages upon so much of the corporate property, and franchises, as shall be deemed adequate security for the same, whenever the president, and directors, of said company, shall deem the issue of such bonds expedient for the interest of said corporation: *Provided*, That the rate of interest, on such bonds, shall not exceed seven per cent. per annum, and that no bonds shall be issued for a less sum than one hundred dollars.

Proviso.

Subscriptions of  
stock, how to  
be paid.

SECTION 8. That subscriptions of stock may be paid in real and personal estate, appropriate to the business contemplated by this act, at a *bona fide* cash valuation, to be agreed upon by a majority, in interest, of the subscribers and stockholders.

Transfers, relative to.

SECTION 9. That all transfers of stock, in said company, shall be entered on the stock books thereof; and said books shall, at all times, be open to inspection of any officer, or stockholder, of said company, and said transfers shall be made agreeably to the by-laws, which may be adopted by said company.

Bonus.

SECTION 10. That this corporation shall pay into the treasury of this commonwealth, a bonus of one-half of one per centum, on the capital stock hereby authorized, and on any increase thereof, in four equal, annual, instalments, and such taxes on dividends, as is, or may be, provided by law; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen, and laborers, employed by said company, and for all provisions, and materials, furnished to said company, as is provided in the eleventh, twelfth, thirteenth, and fourteenth, sections of the act, incorporating the Lackawanna Iron and Coal Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

Tax on dividends.

Individual liability.

Reservation.

SECTION 11. That the legislature reserves the right to amend, alter, or repeal, this act of incorporation, at any time; in such manner, however, as shall do no injustice to the corporators.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 500.

**An Act**

Supplementary to an act to incorporate the Foster Coal and Iron Company, passed April sixteenth, one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the capital stock of the Foster Coal and Iron Company may be increased, so that the total capital shall not exceed ten thousand shares, of fifty dollars each; and the said company shall have the right, and power, to borrow money, at a rate not over seven per centum per annum, to promote and carry out the objects of this corporation, and to give a mortgage, or mortgages, or other security, for the payment thereof: *Provided*, That the amount of such loans shall not, at any time, exceed the amount of the capital stock of the said company, actually paid in.

Capital stock  
may be increased.

Authorized to  
borrow money.

Limitation.

SECTION 2. That the said company shall pay to the state, for the privileges, above granted, a bonus of one-half of one per centum, on all increase of its capital stock, over that authorized by the act of incorporation; such bonus to be paid in four equal annual instalments, the first payment to be made in in one year from the date of any increase of the capital stock.

Bonus to state.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 501.

**An Act**

To incorporate the Lawrence Railroad and Transportation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That John M. Crawford, William Patterson, Leander Raney, Commissioners.

- R. W. Cunningham, James R. Shaw, Joseph Kissick, John Sword, James Gilmore, George C. Reis, Robert W. Steward, William Williams, John Henly, George W. Crawford, H. M. Kirkpatrick, and L. H. Sample, or any five of them, be, and are hereby, appointed commissioners, to open books, receive subscriptions, and organize a company, by the name, and style, of the Lawrence Railroad and Transportation Company, with all the powers, and subject to all the provisions, of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine: *Provided*, That the time for completing said railroad shall be extended for the period of ten years; and that a president, and six directors, shall constitute a board of managers: *And provided further*, That the said company shall have the right to purchase, occupy, and use or lease, for any number of years, the Ohio and Pennsylvania canal, with the right to establish rates of toll, and possess, and enjoy, all the rights, and privileges, enjoyed by the said canal company, with the right to build, purchase, and use, boats on the same.
- Name.** of the Lawrence Railroad and Transportation Company, with
- Subject to.** all the powers, and subject to all the provisions, of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight
- Time for completion.** hundred and forty-nine: *Provided*, That the time for completing said railroad shall be extended for the period of ten
- Board of managers.** years; and that a president, and six directors, shall constitute a board of managers: *And provided further*, That the said
- Authorized to purchase, or lease, the Ohio and Pennsylvania canal, &c.** company shall have the right to purchase, occupy, and use or lease, for any number of years, the Ohio and Pennsylvania canal, with the right to establish rates of toll, and possess, and enjoy, all the rights, and privileges, enjoyed by the said canal company, with the right to build, purchase, and use, boats on the same.
- Capital stock.** SECTION 2. That the capital stock of said company shall be one hundred thousand dollars, and shall be divided into two thousand shares, of fifty dollars each, and the board of managers shall have power to increase the capital stock, from time to time, to an amount not exceeding four hundred thousand dollars; and the said company are hereby authorized to borrow any sum of money, not exceeding five hundred thousand dollars, and to issue bonds therefor, with, or without, coupons attached; and the directors, of said company, shall have power to give such bonds such preference, or security, by mortgage, or otherwise, as they may deem advantageous: *Provided*, That no bond shall be for a less sum than one hundred dollars, and that such rate of interest, not exceeding seven per centum per annum, as may be agreed upon, shall be lawful.
- May borrow money, and issue bonds therefor.** any sum of money, not exceeding five hundred thousand dollars, and to issue bonds therefor, with, or without, coupons attached; and the directors, of said company, shall have power to give such bonds such preference, or security, by mortgage, or otherwise, as they may deem advantageous: *Provided*, That no bond shall be for a less sum than one hundred dollars, and that such rate of interest, not exceeding seven per centum per annum, as may be agreed upon, shall be lawful.
- Proviso.** as they may deem advantageous: *Provided*, That no bond shall be for a less sum than one hundred dollars, and that such rate of interest, not exceeding seven per centum per annum, as may be agreed upon, shall be lawful.
- Construction of railroad authorized.** SECTION 3. That the said company shall have the right to build, construct, and equip, a single, or double track railroad, from, or near, Mahoningtown, in the county of Lawrence, to the Ohio state line, at, or near, the village of Lowell, with the right to connect with any railroad now, or hereafter to be built, at either end, or at any intermediate point.
- Route.** to the Ohio state line, at, or near, the village of Lowell, with the right to connect with any railroad now, or hereafter to be built, at either end, or at any intermediate point.
- May lease, or purchase, the charter of any unfinished road.** SECTION 4. That the said company shall have the right to lease, or purchase, the charter, and franchises, of any unfinished railroad, now projected along the route named, and enjoy all the franchises, and privileges, granted by the charter so purchased or leased.
- Gauge.** SECTION 5. That the gauge of any railroad, constructed along the valley of the Mahoning river, shall not exceed four feet and ten inches in width.
- Required to purchase boats from persons engaged in trade, in case of abandonment of the canal.** SECTION 6. That if the said Lawrence Railroad and Transportation Company shall, at any time, purchase, or lease, the said Ohio and Pennsylvania canal, and shall abandon the same, or permit the same to go into disuse, for boating purposes, it shall be the duty of the said Lawrence Railroad and Transportation Company to purchase, from the owners, such boats as shall be regularly engaged in the carrying trade on the said

canal, at the time of its abandonment, as well as those now in the process of construction, and intended to be regularly used in the said trade, at a fair valuation; and the said valuation shall be determined by three competent, and disinterested persons, to be appointed by the president judge of the judicial district composed of the counties of Beaver, Butler and Lawrence; and it shall be the duty of the persons so appointed, after having been duly sworn to perform their duty, impartially, to determine what persons are entitled to the provisions of this section; and when any party shall have been adjudged to be entitled to the provisions hereof, and shall make a demand on the appraisers, so appointed, it shall be their duty to value the property, in boats, of the persons so making the demand; and their valuation, of such property shall be final and conclusive; and if the party, or parties, so making the demand for a valuation of their boat stock, shall decide to sell their boat stock, at the price fixed by the said appraisers, it shall be the duty of the said Lawrence Railroad and Transportation Company to pay over, to the owner, who shall receive such award, the amount so awarded; and the said Lawrence Railroad and Transportation Company shall receive, own, and be entitled to use, such boats as may be so purchased; and that it shall be the duty of the said Lawrence Railroad and Transportation Company to pay, to the aforesaid appraisers, the sum of three dollars per day, for the time spent in making the assessments, as heretofore provided.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 502.

## An Act

For the increase of certain fees in Dauphin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter, in addition to the usual mileage, the fees in Dauphin county, of witnesses, attending court, shall be one dollar per diem; of jurors, attending court, one dollar and fifty

cents per diem, and the mileage of the sheriff, eight cents circular.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 595, "An Act for the increase of certain fees in Dauphin county," was presented to the governor, on the ninth day of April, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 23, 1864.

No. 503.

## An Act

To increase the pay of jurors and witnesses in the counties of Cambria and Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter, the pay of jurors, attending the several courts of the counties of Cambria and Allegheny, shall be one dollar and fifty cents per diem; and the fees of witnesses, attending said court, shall be one dollar per diem, together with the mileage now paid to jurors and witnesses in said county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 552, "An Act to increase the pay of jurors and witnesses, in the counties of Cambria and Allegheny," was presented to the governor, on the ninth day of April, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agree-



ably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, *April 23, 1864.*

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No. 504.

## An Act

To release Willam Rose, Rufus Smith, and Arad Smith, sureties of S. L.

Hibbard, treasurer of Tioga county, for the years one thousand eight hundred and fifty, and one thousand eight hundred and fifty-one.

WHEREAS, William Rose, Rufus Smith, and Arad Smith, became the bail of Sidney L. Hibbard, treasurer of Tioga county, for the years one thousand eight hundred and fifty, and one thousand eight hundred and fifty-one, for the state taxes of those years :

*And whereas,* The auditor general settled the accounts of said Hibbard, treasurer as aforesaid, on the twenty-third day of January, one thousand eight hundred and fifty-one, for the year one thousand eight hundred and fifty, at which time there was a defalcation of one thousand seven hundred and forty-four dollars and sixty-five cents :

*And whereas,* The auditor general, aforesaid, settled the accounts of the said Sidney L. Hibbard, for the year one thousand eight hundred and fifty-one, the twenty-seventh day of July, one thousand eight hundred and fifty-two, at which time there was another defalcation, amounting to the sum of one thousand nine hundred and ninety-four dollars and forty cents :

*And whereas,* By the act of assembly, passed the sixteenth day of April, one thousand eight hundred and twenty-seven, section fourth, it is made the duty of the auditor general, to transmit to the prothonotaries of the respective counties, to be, by them, entered of record, certified copies of the claim so settled, and which became liens against the real estate of the said treasurer and his securities, by virtue of the twelfth section of the act of the thirteenth March, one thousand eight hundred and eleven, entitled "An Act to amend and consolidate the several acts, relating to the settlement of the public accounts, and the payment of the public moneys, and for other purposes," as soon as the same are settled and entered in the books of the accounting officers :

*And whereas,* The auditor general never complied with the provisions of the act of assembly :

*And whereas,* The supreme court, in putting a construction upon the aforesaid acts of assembly, have decided, that the lien against the real estate of such defaulting treasurer, is not created, until the certified copy is filed in the prothonotary's office, as aforesaid :

*And whereas,* At the time of settling of said accounts, respectively, the said Sidney L. Hibbard had real estate, more than sufficient to have paid the full amount of said defalcation ; that since the settlement of said accounts, the said estate, of the said Sidney L. Hibbard, has been sold to *bona fide* purchasers, without notice of said defalcation, and the said Hibbard has become insolvent, left the county, and gone to parts unknown :

*An whereas,* The collection of said defalcation, from the bail of said Hibbard, would be inequitable and oppressive ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Rose, Rufus Smith, and Arad Smith, be and the same are hereby released from their liability to the commonwealth, as bail of Sidney L. Hibbard, late treasurer in Tioga county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 316, entitled " An Act to release William Rose, Rufus Smith, and Arad Smith, sureties of S. L. Hibbard, treasurer of Tioga county, for the years of one thousand eight hundred and fifty, and one thousand eight hundred and fifty-one," was presented to the governor, on the sixth day of April, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him ; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 23, 1864.

No. 505.

*An Act*

Relative to the pay of the commissioners, jurors, and witnesses, in the county of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from, and after, the passage of this act, the county commissioners, of York county, shall each be entitled to receive, for their services, from the treasury of said county, the sum of four hundred dollars per annum, and, in addition to said salary, shall be allowed mileage, at the rate of six cents for each, and every, mile that they may travel, in the discharge of their official duties. Pay and mileage of commissioners.

SECTION 2. That the fees for jurors, and witnesses, in said county, shall be, for each juror, one dollar and fifty cents per day, and for each witness, one dollar per day, and mileage, as now allowed by law. Fees of jurors and witnesses.

SECTION 3. That all acts, inconsistent herewith, are hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

We do certify, that the bill, entitled "An Act relative to the pay of the commissioners, jurors, and witnesses, in the county of York," was presented to the governor, on the seventh day of April, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, April 23, 1864.

No. 506.

*An Act*

To incorporate the Chester Manufacturing Company of Chester, Delaware county.

Corporators.	<p><b>SECTION 1.</b> <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Thomas Reaney, William B. Reaney, Samuel Archbold, William Stearns, William Ward, and their associates, and successors, be and they are hereby incorporated into a body corporate, and politic, by the name, style, and title, of the Chester Manufacturing Company, and by the said name, style, and title, the company shall have perpetual succession, and be able, and capable, in law, to sue, and be sued, plead, and be impleaded, to have a common seal, and to possess, and employ, real estate, and the necessary tools for the building of locomotives, cars, and all machinery appertaining to the same; and, further, to have all such rights, and powers, as are, or may be, properly incident to a corporation, having for its object the manufacture of machinery: <i>Provided,</i> That nothing herein contained shall be construed to confer on the said corporation any banking, or mining, privileges, or the right to hold real estate, excepting so much as may be deemed necessary to conduct, and accommodate, the manufacturing business of the company, or such as may be conveyed to said corporation, as security for, or in payment of, debt.</p>
Title.	
Powers and privileges.	
Limitation.	
Corporators to act as directors until election.	<p><b>SECTION 2.</b> That the five persons, named in the first section of this act, shall be directors of the said corporation, until their successors are chosen by the stockholders, with power to choose, from amongst their number, a president, and secretary; an election, for five directors, shall be held on the fourth Tuesday in April, one thousand eight hundred and sixty-four, and annually, thereafter, of which election public notice shall be given of the time, and place; but no failure to elect directors, at the time named, shall work as a non-user, but those in office shall continue therein until others are duly chosen.</p>
Election of directors.	
Notice.	
Capital stock.	<p><b>SECTION 3.</b> That the capital stock, of said company, shall be divided into shares of one hundred dollars each, and shall consist of five hundred shares, with the privilege of increasing the same to five thousand, and the persons, holding said stock, shall be entitled to one vote for each share of stock held by them, and may vote either in person, or by proxy; the shares of stock, aforesaid, may be transferred by the owner, or owners, thereof, their executors, or administrators, or attorney, duly, and lawfully, authorized, in a book to be provided for that purpose, and in such manner as the directors shall direct.</p>
Votes.	
Stock transferable.	

SECTION 4. That dividends, of the profits of said Chester Manufacturing Company, as shall appear advisable to the directors, shall be declared, and paid, to the stockholders, at least once in each year; but they shall, in no case, exceed the amount of the net profits, actually made, and acquired, after deducting all losses, and expenses,; and if the directors shall declare, and pay, any dividend, by which, the capital stock, of the said company, shall be impaired, they shall be jointly and severally liable for so much of the said capital stock as may be thus impaired, and divided, which shall be recoverable by any party aggrieved, or injured, in an action recoverable for debt, as in other cases. Dividends, relative to.

SECTION 5. That this corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum, on the capital stock hereby authorized, or hereafter created, in four equal, annual, instalments, and such taxes on dividends, as is, or may be, provided by law; and the stockholders, of said company, shall be individually liable for all debts due mechanics, workmen, and laborers, employed by said company: Bonus.  
Taxes on dividends.  
Individual liability.  
*Provided*, That the company, hereby incorporated, shall be subject to all the restrictions, and liabilities, contained in, and imposed by, the eleventh, twelfth, thirteenth, and fourteenth, sections of an act, entitled "An Act to incorporate the Lackawanna Iron and Coal Company," approved April fifth, one thousand eight hundred and fifty-three. Subject to.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 507.

## An Act

Authorizing the governor to appoint additional notaries public for the counties of Venango, Delaware, Lebanon, Lycoming and Mercer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the governor be, and he is hereby, authorized, and empowered, to appoint six additional notaries public, for the commonwealth, two to reside in the county of Venango, one in the county of Delaware, one in the county of Lebanon, one in the

county of Mercer, and one in the borough of Muncy, in the county of Lycoming.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 508.

## Supplement

To an act for the protection of fruit, in the county of Beaver.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proviso to the second section of an act, entitled "An Act to protect fruit, et cetera, and punish trespass, in certain counties," approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, excepting Beaver county, is hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 509.

## An Act

To incorporate the South Mountain Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That George A. Cooke, George C. Thomas, James T. Bing- **Corporators.**  
ham, R. D. Barclay, Joseph Lesley, J. M. Ritterson, Thomas  
S. Fernon, and their associates, or a majority of them, be and  
they are hereby created a body corporate and politic, under  
the name of the South Mountain Iron Company, for the pur- **Name.**  
pose of manufacturing iron and steel from the ore, and mani-  
pulating iron and steel from the ore, and manipulating the **Privileges.**  
same into any shape; said company to have a capital,  
not exceeding fifty thousand shares, of the par value of fifty **Capital.**  
dollars each, with the privilege of issuing bonds, and se- **Authorized to**  
curing the same, by mortgage on the property, and fran- **issue bonds.**  
chises of the company, in amount not exceeding one-third the  
par of the capital shares, issued at a rate of interest, not ex-  
ceeding seven per centum per annum: *Provided*, That no bond **Proviso.**  
shall be issued for a less sum than one hundred dollars; the  
said company to be subject to all the conditions, and to be **Subject to.**  
possessed of all the rights and privileges, not inconsistent  
herewith, contained in an act, entitled "An Act to encourage  
the manufacture of iron with coke, or mineral coal, and for  
other purposes," passed sixteenth June, one thousand eight  
hundred and thirty-six, and the supplements thereto, for  
manufacturing iron with charcoal; and said company shall  
elect not more than seven directors, and shall pay into the **Directors.**  
state treasury, in four equal annual instalments, a tax of one- **Tax to state.**  
half of one per centum on the capital stock paid in.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one  
thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 510.

## An Act

Revising the charter of the municipal corporation of the city of Reading.

SECTION 1. *Be it enacted by the Senate and House of Represen-  
tatives of the Commonwealth of Pennsylvania in General Assem-  
bly met, and it is hereby enacted by the authority of the same,*  
That the inhabitants of the municipal corporation of the city of **Incorporation.**  
Reading, in the county of Berks, for all the purposes for which  
cities are, by law, incorporated, in this commonwealth, with  
the boundaries, as at present established, excepting as herein-  
after provided, shall continue to be one body politic, in fact,

Name.	and in name, under the style, and denomination, of the city of Reading; and as such, shall have, exercise, and enjoy, all the
Privileges.	rights, immunities, powers, and privileges, and shall be subject to all the duties, and obligations, now incumbent upon, and appertaining to, said city, as a municipal corporation.
Divided into nine wards.	SECTION 2. The city of Reading shall be divided into nine wards, in the manner following, to wit: So much of said city, as shall be included within the line, beginning at the westerly bank of the river Schuylkill; thence eastwardly in a line with, and by, Spruce street, to Sixth street; thence by Sixth street, to the intersection of said street with Canal street; thence by Canal street, to the intersection of said street with South street; thence by South street, to the westerly bank of the river Schuylkill; and thence along said westerly bank, to the place of beginning, shall be one ward, and shall be called First ward.
Boundaries of First ward.	
Second.	And so much of said city, as shall be included within the line, beginning at the westerly bank of the river Schuylkill; thence eastwardly, in a line with, and by, South street, to the intersection of said street with Canal street; thence by Canal street, to Sixth street; thence by Sixth street, to Spruce street; thence by Spruce street, to Seventh street; thence by Seventh street, to Chestnut street; thence by Chestnut street, to the Reading and Perkiomen turnpike; thence by said turnpike, to the eastern line of the city boundary; thence along the same, running in a southerly direction, to the westerly bank of the river Schuylkill; and thence along said westerly bank, to the place of beginning, shall be one ward, and shall be called Second ward.
Third.	And so much of said city, as shall be included within the line, beginning at Penn street; thence by Seventh street, to Chestnut street; thence by Chestnut street, to the Reading and Perkiomen turnpike; thence by said turnpike, to Penn street; and thence by Penn street, to Seventh street, the place of beginning, shall be one ward, and shall be called Third ward.
Fourth.	And so much of said city, as shall be included within the line, beginning at Penn street; thence by Seventh street, to Spruce street; thence by Spruce street, to Fourth street; thence by Fourth street, to Penn street; and thence by Penn street, to Seventh street, the place of beginning, shall be one ward, and shall be called Fourth ward.
Fifth.	And so much of said city, as shall be included within the line, beginning at the westerly bank of the river Schuylkill; thence eastwardly, in a line with, and by, Penn street, to Fourth street; thence by Fourth street, to Spruce street; thence by Spruce street, to the westerly bank of the river Schuylkill; and thence along said westerly bank, to the place of beginning, shall be one ward, and shall be called Fifth ward.
Sixth.	And so much of said city, as shall be included within the line, beginning at the westerly bank of the river Schuylkill; thence eastwardly, in a line with, and by, Penn street, to Fourth street; thence by Fourth street, to the Centre turnpike; thence by said turnpike, to the northern line of the city boundary; thence by said northern line, to the westerly bank of the river Schuylkill; and thence along said westerly bank,



to the place of beginning, shall be one ward, and shall be called Sixth ward.

And so much of said city, as shall be included within the line, beginning at Penn street; thence by Fourth street, to the Centre turnpike; thence by said turnpike, to the northern line of the city boundary; thence by said northern line, to the Philadelphia and Reading railroad; thence by said railroad, to Penn street; and thence by Penn street, to Fourth street, the place of beginning, shall be one ward, and shall be called Seventh ward. Seventh.

And so much of said city, as shall be included within the line, beginning at Penn street; thence by Seventh street, to Walnut street; thence eastwardly, in a line, with, and by, Walnut street, to the eastern line of the city boundary; thence by said eastern line to the Reading and Perkiomen turnpike; thence by said turnpike, to Penn street; and thence by Penn street, to Seventh street, the place of beginning, shall be one ward, and shall be called Eighth ward. Eighth.

And so much of said city, as shall be included within the line, beginning at Seventh street; thence eastwardly, in a line with, and by, Walnut street, to the eastern line of the city boundary; thence by said eastern line beginning in a northwardly direction, to the Philadelphia and Reading railroad; and thence by said railroad, to Walnut street, the place of beginning, shall be one ward, and shall be called Ninth ward. Ninth.

SECTION 3. That the councils of said city shall, from time to time, by ordinance, ordain, and appoint, the places, at which all general and municipal elections shall be held, in the several wards, hereinbefore created; and that for the purpose of holding all elections, to take place in said city, on or before the second Friday of February, Anno Domini one thousand eight hundred and sixty-five, the judges of the court of common pleas, of Berks county, shall appoint a judge, and two inspectors, and an assessor, for each ward of said city, who shall perform all the duties, and be subject to all the liabilities of judges, and inspectors, of elections, and of assessors, under the laws of this commonwealth; and that at the election, to be held in said city, on the second Friday of February, one thousand eight hundred and sixty-five, as hereinafter provided for, the qualified electors of the several wards of said city, shall elect one judge, and two inspectors, and an assessor, for each of said wards, to serve for one year. Councils to fix the places for holding elections.  
  
Judges of court of common pleas to appoint officers to hold election in 1865.  
  
Election of judges, inspectors, and assessors.

SECTION 4. That the administration of all the fiscal, prudential, and municipal, concerns of said city, with the conduct and government thereof, shall be vested in one principal officer, to be styled the mayor, one council, to be called the select council, and one council, to be called the common council, and also, such other officers, and boards of officers, as are hereinafter specified; and the fiscal year, of the city of Reading, shall commence on the first day of January, in each and every year. Government of city to be vested in mayor, council, &c.  
  
Fiscal year to commence on first of January.

SECTION 5. That the annual meeting of the citizens, for the election of municipal officers, hereinafter mentioned, shall be held on the second Friday in February; and the mayor shall issue his proclamation to the qualified voters of each ward, at Annual election, when and how held.

least ten days before said second Friday, and therein state the officers to be voted for at such election; and the person, receiving the highest number of votes, for any office, shall be deemed, and declared, to be elected to the same; and whenever two or more persons are to be elected to the same office, the several persons, to the number required to be chosen, having the highest number of votes, shall be declared elected; and in case of a tie vote between candidates, having the highest number of votes, for the same office, such candidates, having a tie vote, shall, on the day fixed for entering upon the duties of the office, determine by lot, which of them shall be entitled to hold the same.

Qualifications  
of voters.

SECTION 6. That the freemen of the city of Reading, being citizens of the United States, who have resided within the bounds of said city for one year, and have paid the city tax, for the year preceding the election, which shall have been assessed at least ten days before, shall be entitled to vote at the elections for officers of the said city; and any person, not so qualified, who shall fraudulently vote at any city election, or being otherwise qualified, shall vote out of his proper ward, or if any person, knowing the want of such qualification, shall aid, or procure, such person to vote, the person, or persons, so offending, shall, on conviction thereof, be fined in any sum, not exceeding two hundred dollars, and be imprisoned for any term, not less than one, nor more than six months: *Provided*, That the payment of a city tax shall not be required of any citizen, voting, who shall be between the ages of twenty-one and twenty-two years.

Penalty for  
fraudulent  
voting, &c.

Proviso.

Election offi-  
cers, duties of.

SECTION 7. That all city elections shall be held by the judges, and inspectors, elected to hold the general elections in the several wards, or by those duly appointed in their stead, who shall be duly sworn, or affirmed, for said purpose, and if the said officers, or any of them, shall not open the election for the space of one hour, after the time fixed for opening, the qualified voters of the ward, then present, shall elect, from among their number, to fill his, or their, place, or places; and the said judges, inspectors, and the clerks, by them appointed, shall be subject to the same penalties, for a violation of the law, or fraud, in the discharge of their duties, as are provided in the general election laws of this commonwealth; and it shall be the duty of the commissioners, of the county of Berks, to provide at, or before, eight o'clock in the morning, of any city election, the said officers with election boxes, blank forms, tally papers, and a list of the qualified voters of the respective wards; and in order to enable them to make said lists, the assessors, of the several wards, shall furnish them with the names of the persons assessed.

Subject to.

Duties of com-  
missioners and  
assessors.

Tickets, how  
printed and vo-  
ted.

SECTION 8. That the qualified voters, of the city of Reading, at their annual election for city officers, may vote, for said officers, upon two written, or printed, tickets, or slips of paper, one of which shall be headed city officers, and contain the names of the candidates for mayor, city treasurer, city auditors, and select and common councils, for whom the voter desires to vote, and the other shall be headed ward officers, and contain the names of the candidates for alderman, constables,

judge, and inspectors, of elections, controller of schools, and assessor, for whom they may desire to vote.

SECTION 9. That the officers, herein provided, to hold the city elections, after closing the polls, and counting, and ascertaining, the number of votes, for each candidate, or person, voted for, shall, within twenty-four hours, make return thereof, as follows, namely: for the office of mayor, the return shall be delivered to the president of the select council, and by him laid before the said council, on the day of organization, and by the president elect, of said council, before the joint convention of the two branches of the city councils, on the Wednesday succeeding the city election for mayor; for the offices of city treasurer, city auditors, and members of councils, to the mayor, who shall present the returns, for members of the councils, at the time fixed on the Tuesday succeeding the city election, for their organization, to the respective bodies; and the returns, for the other officers, to the joint convention of the councils, on the Wednesday succeeding the city election, of said officers; for the office of alderman, the return shall be made in the manner now provided by law; in the case of elections of justices of the peace, and for all the other offices, in the manner now provided by law, in such cases; and the said officers shall give notice, to the persons elected, in their respective wards.

Returns of election, when and how made, &c.

Notice to persons elected.

SECTION 10. That the select council shall consist of one member from each ward, who shall have the same qualifications as are required by the constitution of this commonwealth, for members of the senate; the qualified voters of each ward, in which the terms of members shall expire, shall, at the annual election, held on the second Friday in February, elect one member qualified, as aforesaid, to serve for three years, from the Tuesday succeeding the respective city elections; immediately after the members of the select council shall have assembled, after the first election, under this act, they shall be divided into three classes by lot: the seats of the members, of the first class, shall be vacated at the expiration of the first year, of the second class, at the expiration of the second year, and, of the third class, at the expiration of the third year, so that one-third may be thereafter elected every year; and if any vacancies shall happen, by resignation, or otherwise, during the term for which any member shall be elected, the same shall be filled, for the unexpired term, at the next city election: *Provided*, That the members, whose terms shall not have expired, at the time of the first meeting, after the first election, under this act, shall take their places in the class to which they would be severally entitled, for the period of their unexpired terms.

Members of select council, number and qualifications of.

Election and classification.

Vacancies.

Proviso.

SECTION 11. The common council shall consist of one member, for every three hundred taxable inhabitants of each ward, and one member for every fraction of three hundred taxable inhabitants, exceeding in number two hundred, who shall have the same qualifications as are required by the constitution of this commonwealth, for members of the house of representatives, and shall be elected at the annual city election, held on the second Friday in February, by the qualified voters of each

Common council-men, number and qualifications of.

Election and official term.

Number, hereafter, to be regulated by council.	ward, for the term of two years, from the Tuesday succeeding the respective city elections; and the common council shall have power to regulate the number of common councilmen, to be chosen from each ward, from time to time, being governed, in the discharge of that duty, by the ratio of representation, as herein prescribed; and the number of taxable inhabitants, of each ward, shall be determined from the returns of the assessors, for city purposes, in the preceding year; immediately after the members of the common council shall have assembled, after the first election, under this act, they shall be divided into two classes, by lot: the seats of the members, of the first class, shall be vacated, at the expiration of the first year, and the seats of the members, of the second class, at the expiration of the second year, so that one-half may be thereafter elected every year; and if any vacancies shall happen, by resignation, or otherwise, during the time for which any member shall be elected, the same shall be filled for the unexpired term, at the next city election: <i>Provided</i> , That no member of the state legislature, nor any one holding office, or employment, from, or under, the state, at the time of said election, shall be eligible as a member of said councils; nor shall any member of said councils, during the term for which he shall be elected, hold any office, or employment, herein created, or provided for, of a municipal character.
Classification.	
Vacancies.	
Proviso.	
Meeting and organization of councils.	SECTION 12. That the members of the select and common councils, elected on the second Friday in February, one thousand eight hundred and sixty-five, together with the members of the select council holding over, under the provisions of this act, shall meet at the place provided for their accommodation, in said city, between the hours of one and four o'clock, in the afternoon of the Tuesday succeeding their election, and shall then, and there, organize in separate chambers; each council, by a majority of votes, shall elect a president, and such other officers as may be deemed necessary for the transaction of business; and the members of the council elect shall meet, as aforesaid, on the Tuesday succeeding the second Friday in February, in each year thereafter, with those whose terms have not expired, and shall take the oath of office, and enter upon the duties thereof.
Oaths to be administered.	SECTION 13. That the members of the select and common councils shall be sworn, or affirmed, to support the constitution of the United States, and of the commonwealth of Pennsylvania, and to discharge the duties of their office with fidelity; and the president elect, of each branch, shall also be sworn, or affirmed, to perform his duties, as president, with fidelity, which oath, or affirmation, shall be administered to him by a member of the branch to which he belongs, appointed for that purpose; and the president, so sworn, and affirmed, shall administer the oaths, or affirmations, to the members elect, and officers, of their respective branches.
Councils to judge of qualifications of members.	SECTION 14. That each council shall judge of the qualifications of its members; and contested elections shall be determined by a committee, to be selected, formed, and regulated, in such manner as shall be directed, by law, or ordinance of said city. A majority of each council shall constitute a

quorum to do business, but a less number may adjourn, from time to time, and have power to compel the attendance of absent members, under such rules, and penalties, as may be provided.

Quorum.  
May compel attendance.

SECTION 15. That each council may determine the rules of its proceedings, which shall, however, not be inconsistent with any joint rule that may be adopted by the two branches of said councils; and each branch shall have power, and authority, to vacate the seat of any of its members for misbehavior, neglect of duty, or other misdemeanor. Each branch shall keep a journal of its proceedings, which shall be, at all times, open to public inspection, and the yeas and nays, of the members, on any question, shall, at the request of any two of them, be entered on the journal. All the voting in the said select and common councils, or in any convention of the same, shall be *viva voce*, and on the final passage of a bill, or resolution, the vote shall be taken by yeas and nays.

Rules.  
Power to vacate seats.  
Journal of proceedings, relative to.  
Mode of voting.

SECTION 16. That whenever a vacancy, or vacancies, shall happen, in either branch of said councils, by death, resignation, removal from the ward, or otherwise, such branch shall order an election, to fill such vacancy, or vacancies, to be held in the proper ward, or wards, at such times as shall be, by such council, respectively appointed, giving at least ten days' public notice of such election.

Vacancies, how filled.

SECTION 17. That the select and common councils shall assemble, for the transaction of business, on the second and last Saturdays, of every month, in each year, and at such other times as they may deem necessary, which meetings shall, at all times, be open, and accessible, to all citizens deporting themselves with order and decorum.

Business meetings, when held.

SECTION 18. That the legislative powers, of the said city, shall be vested in the said select and common councils, who shall have full power, and authority, to make, ordain, constitute, and establish, such, and so many, laws, ordinances, and regulations, as they shall deem necessary to preserve, and promote, the peace, good order, health, benefit, and convenient government, of the said city, subject to the approval of the mayor, as hereinafter provided; and to annex penalties, not exceeding one hundred dollars, for the breach thereof; and the same to enforce, put in use and execution, by the proper officers, and, at their pleasure, said laws, ordinances, and regulations, to repeal, alter, and make anew, as occasion may require: *Provided*, That the same shall not be inconsistent with the constitution, and laws, of the United States, or of this commonwealth: *And provided also*, That it shall not be lawful for councils, at any time, to pass an ordinance, or by other means provide, for the payment of any money, in the shape of per diem pay, or compensation of any kind, for services rendered by them, in their capacity, as councilmen, or members of committees emanating from councils.

Powers vested in councils.  
Subject to.  
Proviso.  
Proviso.

SECTION 19. That every bill, for a law or ordinance, which shall have passed both branches of the councils, shall be presented to the mayor; if he approve, he shall sign it, but if he shall not approve, he shall return it, with his objections, to the council in which it originated, which shall proceed to re-con-

Approval of ordinances by mayor, relative to.

Two-thirds of council may pass bill not signed.	sider it; if, after such re-consideration, two-thirds of that council shall agree to pass the bill, it shall be sent, with the objections, to the other council, by which, likewise, it shall be re-considered; and, if approved by two-thirds of that council, also, it shall be a binding law, or ordinance, upon the conditions, hereinafter mentioned, being complied with; in such cases, the votes, of both councils, shall be determined by yeas and nays, and the names of the members voting shall be entered on the journal of each branch, respectively. Every bill which shall be presented to the mayor, and not so returned by him, at the next stated meeting of the councils, shall take effect as if it had been approved by him, unless such bill shall have been presented to the mayor, within five days of such next stated meeting, in which case he shall have the right to return the same at the stated meeting succeeding the one last mentioned.
When bills, not returned, to take effect.	
Exception.	
Ordinances to be published in newspapers.	SECTION 20. That all laws, or ordinances, which shall be approved by the mayor, passed by two-thirds of councils, without his approval, or become a law, by neglect in returning the same, shall be published three times, in one or more of the public newspapers, published in said city, within twenty days after being severally approved, passed by two-thirds, or after having become a law; and the publication of the same, with the dates and times of publication, shall be proved by the oath, or affirmation, of the clerk of the select council, which shall at all times, be deemed, and taken, as sufficient evidence of such publication, and the dates and times thereof; and the said laws, and ordinances, together with the affidavit of the publication thereof, shall be recorded by the clerk of the select council, in a book, provided for that purpose, within forty days from and after being so, as aforesaid, approved, passed by two-thirds, or after having become a law; and any such law, or ordinance, which shall not be published, and recorded, as aforesaid, shall be null and void.
Proof of publication necessary.	
To be recorded.	
Orders, or resolutions, to be binding without approval of mayor.	SECTION 21. That it shall not be necessary, for any order, or resolution, of either branch, or to which the concurrence of both branches of the council may be required to be presented to the mayor, for his approval, but the same shall be binding for all purposes; the councils may transact business, by an order, or resolution; and every such order, or resolution, shall be filed in the archives of said city, and shall be evidence, for the purposes therein contained.
Election of mayor.	SECTION 22. That the qualified voters of the city of Reading, shall, on the second Friday in February, one thousand eight hundred and sixty-five, and on the second Friday in February, in every second year thereafter, elect one discreet person, to serve as mayor of the said city, for the term of two years, and until his successor shall be elected, and duly qualified; he shall be at least thirty years of age, a citizen of the United States, and shall have resided four years next preceding his election, within the said city; he shall take the usual oath of office, in the presence of the councils, to be administered by the president of the select or common council, between the hours of one and four o'clock, post meridian, on the Wednesday next succeeding his election, if the same shall, within
Term and qualification of.	
Oath of office, how and when administered.	

that time, be approved, and shall give security to the city of Reading, in such sum, as may be fixed and determined upon by the city councils, for the payment of all moneys, coming into his hands, for fines, and penalties, in accordance with the laws, or ordinances, under which the same be recovered.

SECTION 23. That any citizen of said city, qualified to serve as mayor, desiring to contest the election of the person, returned elected as mayor, shall present his petition, setting forth the reasons for contesting the same, to the president of the convention of the city councils, on the Wednesday succeeding the election of mayor; the said petition shall be signed by at least ten qualified electors of said city, accompanied by an affidavit, taken, and subscribed, before some person, having authority to administer oaths, that the facts stated in such petition, are true, to the best of their knowledge and belief; whereupon, said convention shall proceed to examine into the facts alleged in said petition, for which purpose they may adjourn from day to day, *subpoena* and compel the attendance of witnesses, hear testimony, and decide, within ten days, which of the persons is duly elected; and the person, in whose favor it shall be decided, shall be duly qualified to serve as mayor; or, if the said convention should deem it proper, to set aside the election, they shall order a special election for said office, to be held within twenty days, from and after the determination of such contested election, which shall be conducted in the manner prescribed, and return thereof made, as directed in this act, on the third day next following the same; and the person, ascertained to have received the highest number of votes at such special election, shall be duly qualified to act as mayor, for the remainder of the term for which he shall have been elected; whenever a vacancy shall occur, in the office of mayor, by the refusal, or omission, of any person elected, as aforesaid, to serve, or by death, resignation, removal from the city, or otherwise, it shall be the duty of the councils, in joint convention, forthwith to elect a person, qualified, as aforesaid, to serve as mayor, who shall continue in office until the Wednesday succeeding the next city election, or until his successor shall have been duly declared elected and qualified; in case of the temporary absence, or inability, of the mayor to act, the councils shall appoint a mayor, to serve until he shall resume the duties of the office.

SECTION 24. That the mayor, of said city, shall be the chief executive magistrate thereof, and shall be, *ex officio*, a justice of the peace within the city; it shall be his duty to be vigilant, and active, in causing the laws of this commonwealth, and the laws, and ordinances, of the said city, to be executed, and enforced, therein; and in order to enable him, more effectually, to preserve the peace, and good order, of the city, all the powers given to sheriffs of this commonwealth, to prevent routs, riots, and tumultuous assemblies, are hereby conferred upon him; he shall also communicate to councils, at the first stated meeting, in the month of January, of each year, and oftener, if he shall deem expedient, the condition of the city, in relation to its government, finances, and improvements, and shall recommend the adoption of all such measures as the business,

Councils to fix the number of police-constables and watchmen. Mayor to appoint, and control, the same.	and interests, of the city may, in his opinion, require; the councils shall fix the number of police-constables, and watchmen, and the mayor shall nominate, and by, and with, the advice, and consent, of the select council, appoint the said police-constables, and watchmen, and, at his pleasure, dismiss all, or any, of them, and, in like manner, all vacancies shall be filled; the police constables, and watchmen, shall obey the orders of the mayor, and make report to him, which report shall be laid before councils by him, whenever required, and he shall exercise a constant supervision, and control, over the conduct of the police-constables, and watchmen, receive, and examine, all complaints preferred against them, in the discharge of their duties, and report the same to councils; and the mayor shall be required to remove from office any police-constable, or watchmen, by him appointed, upon a resolution to that effect being passed by two-thirds of both branches of councils.
Removal of, relative to.	<p>SECTION 25. That the mayor of the said city shall have power to hear, try, judge, and determine, all actions, or prosecutions, for penalties, fines, or forfeitures, imposed by virtue of the laws of this commonwealth, or by virtue of the laws, and ordinances, of the said city of Reading, as fully, and in the same manner, and with the same rights, and privileges, as justices of the peace, by the laws of this commonwealth, now have, or hereafter may have; and the said mayor may have, hold, enjoy, and exercise, the criminal jurisdiction of a justice of the peace, in regard to offences of whatever nature, as fully as the same is had, held, enjoyed, and exercised, by any justice of the peace of this commonwealth, by virtue of the laws thereof; he shall, also, have power to commit, to the prison of Berks county, for a term not exceeding thirty days, any dissolute person, or persons, who may be committing any mischief, or otherwise behaving in a disorderly manner, to the disturbance, or annoyance, of the peaceable inhabitants of said city; he is, also, empowered, during his continuance in office, to receive, and take, acknowledgments of deeds, mortgages, and other instruments of writing, as fully, and effectually, as the judges of the several courts of common pleas, and justices of the peace, now are, or hereafter may be, authorized to do, under the laws of this commonwealth; and he shall, also, have full power, and authority, to administer oaths, and affirmations, in all cases, in which justices of the peace may administer the same, and if required to use his official seal, in attestation thereof, and he shall receive the same fees, for services rendered, in the exercise of his jurisdiction, as are, by law, allowed to the justices of the peace of this commonwealth, for similar services; the said mayor shall have, and keep, a docket, in which he shall enter, and record, or cause to be entered, or recorded, all process suits, judgments, orders, and proceedings, before him had, in the same manner as is required of the justices of the peace of this commonwealth; and the said docket of the mayor, and the entries, and records, therein, and transcripts thereof, certified by the said mayor, under his seal, shall be proved, and be competent evidence, for all purposes, in the same manner as the docket entries, records, and transcripts, of the justices</p>
Jurisdiction of mayor.	
May take acknowledgments of deeds, &c.	
Fees of.	
Docket to be kept.	



of the peace of this commonwealth, are, or may be, required to be proved, when the same are, or may be, competent evidence.

SECTION 26. That the city of Reading is hereby divided into districts, for the election of aldermen, as follows, to wit: the First, Second, Third, Fourth, and Fifth wards, shall comprise the first district, and the Sixth, Seventh, Eighth, and Ninth wards, shall comprise the second district, and each of said districts shall have two aldermen, who shall reside in their respective districts; and the aldermen, who hold the said office, at the passage of this act, shall continue in the same, until the expiration of their respective terms, unless sooner vacated; they shall be elected, in each district, by the qualified voters thereof, on the second Friday in February, on the expiration of the term, or terms, or whenever a vacancy shall exist, by death, resignation, removal from the district, or otherwise, and commissioned for the same term of years, as is provided by the act of assembly, passed the twenty-first day of June, Anno Domini one thousand eight hundred and thirty-nine, entitled "An Act providing for the election of aldermen and justices of the peace," and the acts supplemental thereto; and the aldermen, who shall be elected in pursuance of this act, and the acts herein referred to, shall give security, as provided in the said acts, shall be subject to the same liabilities, and penalties, be removed from office in the same manner, and, respectively, shall have all the civil, and criminal, authority, and jurisdiction, and all the rights, powers, and privileges, which are now, or hereafter may be, vested in the several justices of the peace of this commonwealth, by the laws thereof, and be entitled to the same fees, and perquisites, with the like right of appeal, by the party, or parties, aggrieved, from any judgment, order, or decree, of any such alderman, or aldermen, to the court of common pleas of the county of Berks.

SECTION 27. That all actions, prosecutions, complaints, and proceedings, for violation of the laws, and ordinances, of said city, and for fines, penalties, and forfeitures, imposed, or enacted, thereby, which shall be brought before the mayor, or any alderman, or aldermen, of the said city, respectively, shall be instituted in the corporate name of the said city; those which shall be brought for violation of the laws of the commonwealth, relating to the said city, or for fines, penalties, and forfeitures, imposed, and enacted, thereby, shall be instituted in the name of the commonwealth, or as prescribed by the said laws of the commonwealth; and all other actions, prosecutions, complaints, and proceedings, so brought for fines, penalties, or forfeitures, imposed, or enacted, by the laws, or statutes, of this commonwealth, shall be instituted, and conducted, as provided by law; and all warrants, with orders, and process in, and concerning, the said actions, prosecutions, complaints, and proceedings, or in, and concerning, any criminal prosecutions, complaint, case, or proceeding, made, and issued, by the said mayor, and aldermen, respectively, shall be made, directed, and issued, to any of the police-constables, or other constables, of the said city, who shall, respectively, serve, obey, and execute, the same, anywhere within the said city, or in the

Districts for the election of aldermen.

Each district to have two aldermen.

Those in commission to continue until election.

Election, and term of.

To give security.

Subject to.

Jurisdiction.

Fees.

Appeals.

Prosecutions, complaints, &c., for violation of ordinances, and laws, proceedings therein.

county of Berks, or in any of the cities, or counties, of this state, under the provisions of the act of assembly of this commonwealth, passed the sixteenth day of April, one thousand eight hundred and twenty-seven, entitled "An Act concerning backing of warrants by justices of the peace;" or the same may be issued, and served, and executed, anywhere in the said city, and county, by special constables, or other persons, as provided by law.

Appeals from judgment of mayor, or aldermen, relative to.

Proviso.

Proviso.

Proviso.

Proviso.

SECTION 28. That if any person shall think himself aggrieved by any judgment against him, as defendant, by the mayor, or any alderman, of the said city, in any action, prosecution, or proceeding, for any fines, penalties, or forfeitures, imposed, or enacted, by, or under, any law, or statute, of this commonwealth, relative to the said city, or by, or under, any law, or ordinance, of the said city, such person may, if the said judgment shall exceed the sum of five dollars, exclusive of costs, appeal from the said judgment, to the court of common pleas of the county of Berks: *Provided*, That such person shall enter into recognizance, to the said city, with one or more sufficient sureties, whose sufficiency shall be approved of by the said mayor, or alderman, before the said mayor, or alderman, in a sum sufficient to cover the said judgment; and all costs that have accrued, or that may thereafter accrue, in the said case, conditioned that such defendant shall prosecute his appeal with effect: *And provided*, That when such appeal shall be taken, the recognizance entered into, and certified transcript of the judgment, and recognizance, to be furnished by the said mayor, or alderman, to the said defendant, on his demand therefor, shall be filed, by the said defendant, in the office of the prothonotary of the said court, within twenty days after the rendition of the said judgment. In case the said transcript shall not be so filed, within the said time, the said mayor, or alderman, shall proceed, in the said case, as if no such appeal had been taken; and, in case of the forfeiture, or breach, of the condition of the said recognizance, and suit shall be brought, the same shall be brought in the corporate name of the said city, and recovery had, in an action of debt thereon, in the same manner as debts, on contract, of like amount, are sued, and recovered, by the laws of this commonwealth: *Provided further*, That the said mayor, or alderman, may issue process, and execution, on the said judgment, immediately on the rendition of the said judgment, and before the expiration of the aforesaid twenty days, unless an appeal shall, at the time, have been taken, and the said recognizance entered into, the said process, and execution, to be stayed on the payment of the cost of said execution, on an appeal being taken, and recognizance entered into, and transcript filed, as aforesaid. The proceedings on the said appeal, and on any judgment thereon, in the said court, shall be with like process, proceedings, and writs of execution, as directed, or authorized, by the acts of assembly of this commonwealth: *And provided further*, That in case of a judgment for the defendant, by the said mayor, or alderman, in any such action, or prosecution, instituted in the name of the said city, for a fine, penalty, or forfeiture, greater than the sum of five dollars, the said city shall

have the same right of appeal as the defendant aforesaid, under the same terms, and conditions, except entering into recognizance, as aforesaid.

SECTION 29. That the qualified voters of the city of Reading shall, on the second Friday in February, one thousand eight

hundred and sixty-five, and on the second Friday in February, in every second year thereafter, elect a city treasurer, to serve for two years, from the Wednesday next succeeding such election, and until his successor shall be duly elected and qualified; and he shall have the same qualifications as are required for the office of select councilmen. His election shall be determined upon by the councils, in convention, on the Wednesday

Official term,  
and qualifica-  
tions of.

succeeding the election; and contested elections, in relation to the office, shall be proceeded with, in the manner provided in

Contested elec-  
tions.

the case of mayor; and any vacancy in said office of treasurer

Vacancies.

shall be filled, by the city councils, in joint convention, in like manner. He shall give bond to the city, conditioned for the faithful performance of his duties, in such amount as the city

To give bond,  
&c.

councils shall direct, and with such sureties as shall be by them approved, and shall, before he enters upon his office, take and subscribe an oath, or affirmation, before the mayor, to support

Oath.

the constitution of the United States, and of this commonwealth, and honestly to keep an account of all public moneys, and property, entrusted to his care, and to discharge the duties of his office with fidelity. No money shall be drawn from the

Mode of keep-  
ing accounts,  
&c.

treasury of the city, except the same shall have been previously appropriated by councils to the purpose for which it is drawn. The accounts to be kept by the said treasurer shall exhibit all the receipts, and all the expenditures, of the city, in an intelligible manner, in which, the particulars of each item of charge, and discharge, shall fully, and precisely, appear. The said treasurer shall keep the public moneys in such place, and manner, as the city councils shall direct, and shall verify his cash account, at least once in every month, to the satisfaction of a standing committee of councils, and upon the affidavit of a majority of such committee to any default therein, the said treasurer may be suspended from office, and another appointed, until the further action of councils; and the said treasurer, at the expiration of his term of office, shall deliver all moneys, books and papers, in his hands, belonging to the said office, to his successor in office.

SECTION 30. That it shall be the duty of the city treasurer to act as receiver of taxes, as hereinafter provided, and upon the duplicate, or duplicates, of city taxes, having been made out, as may be directed by the city councils, the same shall be placed in the possession of the said treasurer, who shall receive, and collect, said taxes, and for that purpose he shall have, and exercise, all the powers conferred by law, in that behalf; for collection of state, and county, taxes; and, if any taxes on real estate remain unpaid after the thirty-first day of December, in the year for which they are assessed and levied, the treasurer shall deliver a correct, and detailed, statement of the same, taken from the duplicates, to the city solicitor, who shall register the same as hereinafter directed: *Provided*, That the standing committee, appointed by the select and com-

Duties and  
powers of trea-  
surer, as re-  
ceiver of taxes.

Proviso.

mon councils, shall have the right, at all times, to inspect the said duplicate, or duplicates, while in the possession of the said treasurer, or of the collectors, and have power to make such allowances, or alterations, in the same, as they may deem necessary; and the said treasurer, and collectors, shall render a monthly account of all taxes received by them, to the clerk of the select council.

Board of auditors.

SECTION 31. That the qualified voters of the city of Reading, on the second Friday in February, one thousand eight hundred and sixty-five, and, annually, thereafter, shall elect one reputable person to serve as city auditor, for the term of three years from the Wednesday succeeding such election; and he, with the two auditors previously elected, shall constitute a board to audit the treasurer's accounts, at the end of the fiscal year, and at the close of his term, and perform such other duties as may be prescribed by law, or ordinance; and the election of auditors shall be determined upon, and vacancies in said board shall be filled, in the same manner as is provided in the case of city treasurer.

Their duties.

Constables, election of.

SECTION 32. That the qualified voters of the city of Reading shall, on the second Friday in February, one thousand eight hundred and sixty-five, and annually, thereafter, elect two constables, who shall be qualified, as the laws of this commonwealth require such officers to be, and shall, upon entering the requisite security, be commissioned by the court of quarter sessions of the county of Berks; they shall be under, and subject, to the same legal penalties, and provisions, and exercise all the powers, and do, and perform, all duties that, by the usages, and laws, of this commonwealth, are enjoined upon such officers; all vacancies that may, from any cause, occur, in the said office of constable, shall be filled by the court of quarter sessions of the said county of Berks.

To give security.

Subject to. Duties.

Vacancies.

Engineer, solicitor, commissioners of highways, markets, and city property, to be elected by councils.

SECTION 33. The select and common councils, in joint convention, shall, at their first stated meeting, on the Wednesday next succeeding the election, in the year one thousand eight hundred and sixty-five, and on every third year, thereafter, elect, for the term of three years, a city engineer; and said select and common councils shall, annually, in joint convention, at the stated meeting on the Wednesday next succeeding their election, elect, for the term of one year, a city solicitor, two commissioners of highways, commissioner of markets, and city property, and such other officers as they shall provide for, by ordinance, and may deem necessary, for the good government, and proper execution, of the laws, and ordinances, of said city; and said councils may, by joint resolution, dismiss, and remove, all, or any, officers elected, or appointed, by them, without the approval, of such joint resolution, by the mayor; and whenever a vacancy shall occur, in any of the offices, filled by election, or appointment, of councils, such vacancy shall be filled in joint convention of councils: *Provided*, That the city engineer shall not be removed from office, except by joint resolution, adopted by a vote of two-thirds of the members present, in select and common councils.

Proviso.

SECTION 34. That the police-constables, and watchmen, after being duly qualified, shall have power, during their continu-

ance in office, to make arrests, serve, and execute, all process, issued by any officer having jurisdiction, and relating to the penal laws of this commonwealth, and the laws, and ordinances of the said city, and to execute all process, endorsed by any mayor, recorder, alderman, or justice of the peace, within this state; they shall have authority, as conservators of the peace, within the said city, and it shall be their duty to do, and perform, all acts, and things, which may be required of them, by the laws, and ordinances, of the said city; and they shall also be allowed, and entitled to, the same fees as other constables.

Powers of police-constables and watchmen.

Fees.

SECTION 35. That all officers, either elected, or appointed, and not otherwise provided for, shall be sworn, or affirmed, to support the constitution of the United States, and of this state, and to discharge the duties of their office with fidelity; and the city councils shall fix the compensation, and prescribe the duties, of all officers of said city, in such manner as to carry out the purposes of this act, and as the welfare of said city may require, not inconsistent with the constitution and laws of the United States, and of this commonwealth; whenever any elective officer, of said city, shall die, or become incapable of fulfilling the duties of his office, his place, except where other provision is made, for filling the vacancy, shall be filled by a joint convention of the city councils, until the next city election; and the qualification of a successor in office, and all officers elected by the qualified voters, under this act, or appointed by councils to fill vacancies, in cases not otherwise provided for, shall be subject to removal from office, on impeachment for misdemeanor in office, or other sufficient cause, on charges to be preferred by the common council, and tried by the select council, in the manner prescribed by the constitution and laws of this commonwealth, as to the impeachment by the House of Representatives, and trial, thereof, by the Senate.

Official oath to be taken.

Councils to fix compensation, and prescribe duties, of all officers.

Vacancies.

Subject to removal, &c.

SECTION 36. That it shall be the duty of the city councils, to provide, by ordinance, for the establishment, and regulation, of all the departments, indicated by this act, under proper heads, designate, and appoint, the heads thereof, and provide for the appointment of clerks, and officers, all of whom shall serve for such periods, as may be fixed by ordinance, subject to dismissal, by the appointing power, or superior officer, as such ordinance may provide; that all officers, and boards, acting under the authority of the said corporation, and entrusted with the expenditure of public moneys, shall be accountable therefor, to the city councils, in such manner as they may direct; and it shall be the duty of said councils, to cause to be published, annually, for the information of the citizens, a particular statement of the receipts, and expenditures, of all public moneys; and every officer, or agent, receiving moneys for the city, and payable to the city treasurer, shall give bond, for the faithful performance of his duty, and shall be required to make return to the clerk of select council, once in every month, if councils shall direct, under oath, or affirmation, of each item of the moneys received by him, and immediately, upon making such return, to pay the amount in his hands, to the city treasurer; the said clerk, of the select

Councils to establish and regulate all city departments.

Annual statement of receipts, and expenditures, to be published.

Officers receiving moneys to give bond, and make monthly returns.

Clerk of select council to administer oath.

Councils authorized to borrow money, and issue bonds therefor.

Exempt from city tax.

Limitation.

Ordinances for borrowing money, relative to.

Temporary loans.

Councils authorized to erect gas and water works, &c.

Privileges conferred.

council, is hereby authorized, to administer such oath, or affirmation; and any person, falsely making such oath, or affirmation, or guilty of falsehood, in any other oath, or affirmation, under the provisions of this act, or by any ordinance of councils, made in pursuance thereof, shall be guilty of perjury.

SECTION 37. That the select and common councils shall have power, by ordinance, to borrow, for the use of the city of Reading, any sum, or sums, of money, which they shall deem necessary, and to issue bonds, certificates of loan, or other evidences of indebtedness, for the amount so borrowed, to the persons, respectively, lending the same; and such bonds, certificates of loan, or other evidences of indebtedness, signed by the mayor and presidents of councils, sealed with the corporate seal of said city, and attested by the clerk of the select council, shall be binding, and obligatory, on the said corporation; and the money, so borrowed, shall be exempt from the payment of city tax: *Provided*, That the sums of money, so borrowed, shall not, in the whole, including the sum heretofore borrowed, for the use of the said city, for the re-payment of which, the faith of the city is now pledged, exceed the sum of three hundred thousand dollars, nor bear a greater rate of interest than six per centum per annum; hereafter, no money shall be borrowed, on the faith and credit of the said city, unless the proposed ordinance, authorizing the same, shall have been introduced at one stated meeting of the common council, and published in at least two of the newspapers of the city, for two weeks before the final consideration, and passage, thereof, by the said common council; and at any stated meeting of the select council, held at least one week after the final consideration of any such ordinance, by the common council, the select council may consider, and act, upon any such ordinance; but the select council shall not originate, any ordinance for borrowed money, and no loans shall be authorized, without a vote of two-thirds of the whole number of the members of each council present, when said vote is taken: *Provided also*, That it shall be lawful for councils to authorize, by joint resolution, temporary loans of money, whenever they shall deem it necessary, not exceeding, in the aggregate, at any one time, the sum of thirty thousand dollars; and no such loan shall be for a longer period than three months.

SECTION 38. That the councils of the city of Reading, be and are hereby authorized, and empowered, to supply with water, and gas light, the said city of Reading, and such persons, partnerships, and corporations therein, as may desire the same, at such prices as may be agreed upon; and for that purpose, to make, erect, and maintain, all proper water-works, machinery, buildings, cisterns, reservoirs, pipes, and conduits, for the raising, reception, and conveyance, of water; and also, to make, erect, and maintain, the necessary buildings, machinery, and apparatus, for manufacturing, and distributing, gas; and in order to effect the objects, and purposes, aforesaid, all the rights, privileges, and franchises, heretofore, by their several acts of incorporation, or otherwise, granted to, or vested in, the Reading Water Company, and the Reading Gas Company, are hereby extended to, and con-

ferred upon, the said councils : *Provided*, That the said councils shall be, and are, hereby authorized, and empowered, to purchase, for such price, or prices, as they may agree upon, all the real, personal, and mixed, estate, rights, privileges, and franchises, of the Reading Water Company, and the Reading Gas Company, or of either of said companies, and to receive a deed, or deeds, of conveyance of the same, to the city of Reading ; and after such purchase, said councils shall possess, and exercise, all the rights, privileges, and franchises, now by law belonging, or pertaining, to either, or both, of said companies : *And provided further*, That in order to defray the expenses, and cost, of supplying said city with water and gas, either by purchase, or otherwise, as hereinbefore provided, said councils are hereby authorized, and empowered, to borrow any sum of money, not exceeding three hundred thousand dollars, in addition to such sums of money, as elsewhere, in, and by, this act, the said councils are authorized to borrow.

Purchase of the property, and franchises, of the Reading gas and water companies, authorized.

May borrow money for this purpose.

SECTION 39. That hereafter, the qualified voters of each ward shall elect one person as assessor, for state, county, and city, purposes, and there shall be no assistant assessors elected in the said city ; so much of any act, as authorizes the election of assistant assessors, is hereby repealed, so far as the same may apply to the city of Reading ; the several assessors, after being duly qualified, shall do, and perform, within their respective wards, all the duties that, by the usages and laws of this commonwealth, are now enjoined upon the assessors, and assistant assessors ; and after they shall have taken the names of the taxable persons, and an estimate of the real and personal estates of the inhabitants of the said city, and the real estate of persons, non-residents, they shall meet together as a board to equalize, and fix, a uniform standard, and just valuation on the same, and for neglect of duty, they shall be subject to the same penalties as are now provided by law.

Election of assessors.

Repeal.

Duties of.

SECTION 40. That the councils, of the city of Reading, shall have power to provide for the assessment, and collection, of taxes, not exceeding two and a half per centum, upon the city valuation, in any one year, on all persons, real and personal property, and all other matters, and things, within said city, taxable for state and county purposes, for the payment of loans to support the government, and make the necessary improvements of said city ; and the assessors, in the several wards, shall perform the duties of city assessors, in conformity with the provisions of this act, and the ordinances of said city ; all taxes assessed, and levied, upon real estate, in pursuance of this act, and the laws, and ordinances, of said city, shall be a lien, on such real estate, from the time of such levy ; and the lien, hereby created, shall have priority to, and shall be fully paid, and satisfied before, any recognizance, mortgage, judgment, debt, obligation, or responsibility, which the said real estate may become charged with, or liable to, from, and after, the passage of this act ; nor shall the defendant, or defendants, or other persons, in any writ of *fieri facias*, *venditioni exponas*, or *levari facias*, be entitled to claim any exemption, under a levy, and sale, of any real estate, charged with such tax, against the allowances, or payment, of the same.

Assessment and collection of taxes.

Taxes to be liens, &c.

Duplicates,  
relative to.

Collection,  
mode of.

Statement of  
taxes unpaid  
to be placed in  
hands of solic-  
itor.

Register of  
taxes to be kept  
by prothonota-  
ry.

Mode of recove-  
ry against de-  
linquents.

Proviso.

SECTION 41. That the annual assessments shall be completed on, or before, the fifteenth day of May, in each, and every, year; and upon the the duplicates of city taxes having been made, as may be directed by the councils, the same shall be placed in the possession of the city treasurer, who shall receive, and collect, said taxes; and after the first day of August, in each, and every, year, the additional sum of five per centum shall be added to all the taxes, then remaining unpaid, in the duplicates; and after the first day of October, in each, and every, year, an additional sum of five per centum shall be added to all the taxes, then remaining unpaid, in the duplicates; and said city treasurer shall continue to receive, and collect, said taxes, and until, and on, the first day of October, in each, and every, year, after which date said duplicates shall be placed in the hands of collectors, to be appointed by said councils, as hereinafter mentioned; after the first day of January, in each, and every, year, a correct, and detailed, statement of the city taxes, due upon real estate, shall be placed, by the city treasurer, in the possession of the city solicitor, who shall cause the said taxes upon real estate, remaining unpaid, to be registered in the name of the city of Reading, and against the person, or persons, charged in the duplicates with the same; or if any property has been transferred, upon which such tax has been assessed, against the person, or persons, who may have become the owner, or owners, of such property, in the office of the prothonotary of the county of Berks, who shall keep a separate book for that purpose, to be called register of taxes; and all taxes, so registered, shall be, and continue to be, liens on the real estate, upon which they have been assessed, for the term of five years; the prothonotary shall be allowed, and paid, for each tax, so registered, a fee of twenty-five cents, which shall form part of the expenses, and shall be paid by the person from whom the tax is due, and owing; he shall also, at all times, on demand, made within the hours during which the office shall be opened, for the transaction of business, make searches, and furnish transcripts, or extracts, from the register of taxes, aforesaid, for which he shall be allowed the usual fees.

SECTION 42. That recovery may be had on claims for taxes, registered in pursuance of this act, and the laws, and ordinances, of said city, in the court of common pleas for the county of Berks, by action of debt to recover a general judgment against the debtor, or debtors, as is now provided by law, or proceedings thereon may be had by *scire facias*, as in the case of mechanics' claims; and the claims so registered shall be *prima facie* evidence of the amount thereof, and of the same being due, and owing; and judgment shall be entered, by default, therefor, unless the defendant, or defendants, shall file his, or their, affidavit of the nature of his, or their, defence, as required in other cases, where the plaintiff has filed his copy of the cause of action in such court; and the judgment, and process, thereon shall be with like effect as in other cases: *Provided*, that where any real estate, subject to such lien, shall have been conveyed, and deed recorded, after the assessment of the tax sued for, the then owner shall be in-



cluded in the process; and if there be several owners of distinct portions of the premises, recovery shall be had under the same writ against their respective shares, according to a just, rateable, proportion of the tax, cost, and expenses of collection; and if any such owner shall be omitted, he, or they, may be brought in by a rule of the court, on him, or them, to show cause why he, or they, shall not be made a party to such suit; and on proof of service thereof, judgment may be entered against his, or their, share, by default of appearance, or affidavit, as aforesaid: *And provided*, That no such apportionment shall affect the personal liability of the owner, at the time of the assessment, or register, for the whole amount of the tax, interest, and costs, including the five per centum commission to be paid for such collection. Proviso.

SECTION 43. That the councils of the city of Reading, at the first stated meeting, in the month of September, annually, shall elect a tax collector, or collectors, to collect the city taxes, which remain unpaid upon the first day of October following, who shall, on the delivery of the duplicate, or duplicates, to him, or them, respectively, proceed to collect the amount of such duplicate, or duplicates, from the persons therein respectively charged; for which purpose he, or they, shall have all the power, and authority, now provided, by law, for the collection of state and county taxes; and if any person shall neglect, or refuse, to make payment of the amount of tax due, by him, within twenty days from the time of demand made, it shall be the duty of the officer holding the duplicate, wherein such tax shall be charged, to levy such amount, by distress and sale of the goods, and chattels, of such delinquent, giving ten days' public notice of such sale, by written, or printed, advertisements; and in case goods, and chattels, sufficient to satisfy the same, with the costs, cannot be found, each officer shall be authorized to take such delinquent, and convey him to the prison of the county of Berks, there to remain until the amount of such tax, together with the costs, and charges, shall be paid, or secured to be paid, or until he shall be otherwise discharged by due course of law. Councils to elect collectors of unpaid taxes.

Their duties and powers.

Levy.

Sale, notice of.

Imprisonment.

SECTION 44. That the councils of the city of Reading are hereby authorized, and required, to appoint a competent civil engineer, with such assistants, and with such compensation, for such engineer and his assistants, as they may deem proper; and, in case of vacancies in said appointments, the same shall be filled by the councils of said city. It shall be the duty of said civil engineer, as soon as the same can be done, to survey, and mark, the lines of all the streets, and highways, of the city, now opened, or intended to be opened, for public use, within the said city; and also, survey, and lay out, the width, and extension, of the same, and such new streets, avenues, and highways, within the said city, as the councils shall deem necessary for a regular, and convenient, town plan, and for the more equal distribution, and ready discharge, of the waters thereof, and to regulate the height, ascent, and descent, of said streets, avenues, and highways, and of the gutters, sidewalks, or footways, thereof; for said purposes, the said engineer shall have full power, and authority, with, or without, his assistant, Civil engineer and assistants to be appointed.

Duties and powers of.

Duplicate drafts of surveys, and regulations, to be made.	or assistants, to enter upon the lands of any person, or persons, within the said city; and when the said survey, and regulations, shall be completed, the said engineer shall make, or cause to be made, duplicate drafts, or plans, thereof, with every position, and explanation, necessary for a full understanding of the same, distinctly designating where the new streets, avenues, and highways, shall hereafter be opened; and one of the said drafts, or plans, shall be returned to the councils, who shall keep the same in such place as they shall fix upon, and the other of the said drafts, or plans, shall be delivered to the clerk of the court of quarter sessions of the county of Berks, to be, by him, filed in his office, for public inspection, and examination.
Councils to give notice when court will hear objections to same.	It shall be the duty of the said councils to give at least thirty days' previous notice, in at least two of the public newspapers, published in the said city, that on a certain day, or days, to be appointed by the court, the said court will hear any objections that may be made to said draft, or plan, by any freeholder, or citizen, of the said city; and the said court shall, at the time appointed, adjudge, and determine, whether any, and what, alteration shall be made therein, and shall direct the draft, or plan, with such alterations as shall be made, to be recorded in the office of the clerk of said court; and, thenceforth, all the streets, avenues, and highways, as therein contained, shall be deemed, adjudged, and taken, to be public highways; and the survey, and regulations, of the said streets, avenues, and highways, so filed, and recorded, shall be deemed, and adjudged, established and fixed; and in case the city councils shall change, or alter, or should they, by themselves, or their officers, deviate from the regulations of the streets, avenues and highways, so, as aforesaid, established, and damages should accrue to the property of any person, or persons, in consequence thereof, the said city shall be liable for the payment of such damages, and, inasmuch as the public convenience will, for the present, be answered by a certain knowledge as to where, and in what manner, streets, avenues and highways, will, in future run; but, as it may not be necessary immediately to open the same, in order to provide for the opening, and widening, thereof, according to the draft, or plan, aforesaid, from time to time, as the increasing improvement of the city may require, it shall be lawful for the city councils, by joint resolution, or any six freeholders, by petition, to apply to the court of quarter sessions of the said county of Berks, who, after hearing the said application, and such of the freeholders through whose land such street, avenue, or highway, may pass, as shall offer objections thereto, shall determine whether it be proper, at the time, to direct the opening of the same; and, if the court shall be of opinion that the state of improvement, or other necessities, in the neighborhood, is such as to require the opening thereof, they shall issue their warrant, directed to the commissioners of highways of said city, enjoining, and requiring, them to open such street, avenue, or highway, according to the said draft or plan: <i>Provided</i> , That no such street, avenue, or highway, so laid out, shall be opened, or appropriated to public use, until the owner, or owners, of the ground through, and over, which the same may
Alterations, relative to.	
Liability of city for damages.	
Opening of streets, avenues, &c., relative to.	
Proviso.	

pass, shall have been paid the damage, which shall have been ascertained, as hereinafter provided. It shall not be lawful for the said court to direct the laying out, and opening, of any street, avenue, or highway, within said city, contrary to the provisions herein contained; and if any owner, or owners, of real estate, or his, or their, legal representatives, or assigns, shall build any house, or other building, within the line of any street, avenue, or highway, as surveyed, and marked, on the draft, or plan, aforesaid, after the approval, and recording, of the same, such owner, or owners, representatives, or assigns, shall not be entitled to any damage which may be caused by the removal of such house, or building, for the opening, or widening, of any such street, avenue, or highway; and the engineer aforesaid shall have power, and authority, to make such changes in the northern and eastern boundary lines, of the city of Reading, as may be deemed expedient, to have the same conform with the streets, avenues, and highways, surveyed, and laid out, as aforesaid, and make drafts of such lines, and of the changes made in the same, with the courses, and distances, as located by him, together with a report of his proceedings; and to file copies of such drafts, and reports, in the office of the clerk of the court of quarter sessions of the county of Berks; and the lines so located, and marked, shall be, and remain, the dividing lines between the city of Reading, and the townships of Alsace and Muhlenberg.

Engineer authorized to make changes in northern and eastern lines.

SECTION 45. That upon the said draft, or plan, being recorded, as provided aforesaid, it shall be the duty of the court of quarter sessions, of the county of Berks, to appoint six discreet and disinterested freeholders, none of whom shall reside, or own real estate, within the said city, who, being first sworn, or affirmed, to perform their duties, in the premises, with fidelity, shall inquire what damages the owner, or owners, of lands, house, or houses, or other property, shall, or may, sustain, by reason of the same being taken, used, and appropriated, for the use of public streets, avenues, or highways, according to the said draft, or plan; and it shall be the duty of the said freeholders, in assessing damages, to consider the advantages, which may accrue to the owner, or owners, of such lands, house, or houses, or other property, by reason of opening such street, avenue, or highway; upon the return of the valuation and assessment of damages, as aforesaid, and the approval of the same, by the said court, the same shall be the damages, that the owner, or owners, aforesaid, or his, or their, legal representatives, or assigns, shall be entitled to, for the taking of such grounds, or other property, and which shall be paid out of the treasury of the county of Berks: *Provided*, That no damage shall be paid, until it shall have been ordered, as hereinbefore provided, that said streets, avenues, or highways, or any thereof, shall be opened, and until which time the owner, or owners, of property shall enjoy the use of the same, subject to the provisions, and restrictions, contained in this act: *And provided also*, That if the damages shall not be paid within three months next from, and after, the time when any street, avenue, or highway, shall have been ordered to be opened by the court aforesaid, the owner, or

Assessment of damages, made of.

Payment of.

Proviso.

Proviso.

owners, may proceed to collect the same, as judgments are now collected, under the laws of this commonwealth, against the said county of Berks.

Councils to have control over private alleys.

To be kept in order at expense of property owners.

Width of sidewalks, footways, curbing, paving, and repairing the same, how regulated.

Expense of, to be paid by lot-owners, and be a lien.

How to be recovered.

Proviso.

Legal proceedings in cases of claims for taxes, or liens, filed.

SECTION 46. That the councils of the city of Reading shall have jurisdiction, and control, over private alleys, within the said city, so as to have the same cleansed, and kept in order, graded, and provided with gutters, or sewers, the expense whereof shall be re-imbursed, to the said city, by the owners of the property having the right of access to, or passage along, the same, in such proportions as may be directed by the said councils; the same, in case of non-payment, to be recoverable by the said corporation, by suit, before the mayor, or an alderman, as debts of a like amount are, by law, recoverable.

SECTION 47. That the councils of the city of Reading shall have power, by ordinance, to determine the width of the sidewalks, or footways, of the streets, avenues, and highways, within the limits of the said city, and to require, and direct, the curbing, and paving, re-curbing, and re-paving, and re-paving, thereof, by the owner, or owners, of lots, or real estate, fronting, or abutting, thereon; and on the failure, or neglect, of any person, or persons, owning lots, or real estate, as aforesaid, to curb, and pave, re-curb, and re-pave, or repair, the sidewalks, or footways, in front of his, her, or their, lot, or lots, or real estate, agreeably to the requisition of such ordinance, or ordinances, or contrary to the regulations of the city, as the same may be established, the commissioners of highways of the said city shall cause the same to be curbed, and paved, re-curbed, and re-paved, or repaired, at the expense of the said city; and the owner, or owners, of the said lot, or lots, or real estate, shall be liable to re-pay the expenses thereof to the said city; and it shall be lawful for the said city, by its officers, to file its lien, for the same, in the court of common pleas for the county of Berks, which shall have priority to any mortgage, judgment, recognizance, or liability, to which the said lot, or lots, or real estate, may become liable, and the amount secured thereby may be recovered by *scire facias*, as debts are recoverable, under the mechanics' lien laws of this commonwealth, in the corporate name of the said city; and no defendant, or defendants, in any writ for the sale of such lot, or lots, or real estate, or other person, shall be entitled to claim any exemption against the allowance, or payment, of the amount of any such lien, and costs, thereon: *Provided*, That such lien shall be filed within sixty days after such expense is incurred by the said city, and shall recite the name, or names, of the owner, or owners, of such lot, or lots, or real estate, and the occupier, or occupiers, thereof, if there be any.

SECTION 48. That all writs of *scire facias*, on claims for taxes, or liens, filed for curbing, paving, re-curbing, re-paving, or repairing of the sidewalks, or footways, of the said city, as hereinbefore provided, shall be served by the sheriff, or coroner, of the county of Berks, by posting a true, and attested, copy of the writ on a conspicuous part of the premises therein described, and by publishing a brief notice thereof in two weekly newspapers in said city, for two weeks before the return day, on which, service being made, the plaintiff in such

suits may proceed to recover judgment, as aforesaid. For want of an affidavit of defence, or otherwise, such claims, and liens, may, in suits for the recovery thereof, be read in evidence of the facts therein set forth; and no plea alleging non-joinder, or mis-joinder, of the parties; no plea averring want of notice to curb, pave, re-curb, re-pave, or repair, any such side-walk, or footway; no plea touching the rates, or proportions, of contribution among parties jointly interested, nor any plea touching the question of ownership, shall be allowed in any such action.

SECTION 49. That it shall be lawful for the councils of the city of Reading, from time to time, by ordinance, to make, and establish, such, and so many, rules, and regulations, as to them may seem expedient, for the better-regulation of porches, porticoes, door steps, railings, bulk, or pit, windows, areas, cellar doors, and cellar windows, or other device, or thing, projecting over, into, or otherwise occupying, the sidewalks, or footways, or other portion of any of the streets, avenues, and highways, and for the regulation of the foundation, and front walls of buildings, party-walls, and partition fences, in said city.

Councils may make regulations concerning porches, doors, windows, walls, &c.

SECTION 50. That the councils of said city shall provide for the erection of market houses, and places for markets, and the renting of the same; make such, and so many, laws, and regulations, as they may judge proper, for the regulation of the markets; provide for the regulation of weights, and measures, in accordance with the standard weights, and measures, of this commonwealth, within said city; provide for the licensing, regulating, and restraining, of auctions, brokers, pawn-brokers, and theatrical, or other public amusements, within the said city, under such pains, and penalties, as shall, from time to time, be ordained, and established; and shall, also, have power to provide for the taxing, or licensing, regulating, and restraining, of dogs from going at large, or loose, within the said city, and for destroying the same. All dogs for which a tax, or license, shall have been paid, shall be considered as personal property for the time such tax, or license, shall have been paid, and the owners thereof shall be entitled to all the rights, and privileges, in relation to the same, existing in other cases of personal property.

Erection and regulation of market houses, relative to.

Auctions, brokers, public amusements, &c.

Taxing of dogs.

SECTION 51. That the councils, of the city of Reading, shall be and they are hereby authorized, and directed, to organize a police department, in, and for, the said city, and may organize a fire department, subordinate to, or independent of, that of police, and to make, ordain, and establish, all needful laws, and ordinances, for the regulation thereof, and for the preservation of the public peace, the suppression of riots, and disturbances, and for the extinguishment of fires, and the protection of property thereat; and for this purpose, the said councils shall be, and hereby are, vested with all power, and authority, necessary in the premises.

Police and fire departments, organization and regulation, of.

SECTION 52. That the councils, of the city of Reading, shall provide, and maintain, a suitable lock-up, or station house, in some convenient part of said city, and, at the expense thereof, to be used as a place of security, for confining, and detaining,

Lock-up house.

Purposes of.

of vagrants, and persons arrested by the police officers, and for the temporary detention of persons committed by the mayor, or any of the aldermen, on criminal charges, and for breaches of the peace, and violation of the ordinances, of said city, for which such person, or persons, can be lawfully committed to the prison of Berks county, until they shall be so committed, or discharged, according to law; but no person shall be detained in the said lock-up, or station house, for a longer time than twenty-four hours, except upon the order of the mayor, or an alderman, who may commit such persons, in pursuance of law: *Provided*, That the expenses of committing, and keeping, any person, or persons, in said lock-up, or station house, on charges of any indictable offence, shall be paid by the county of Berks, on the presentation of the accounts of the same to the commissioners of the said county.

Expenses, how  
to be paid.

Duty of keeper  
of county prison

Misbehavior to-  
wards prison-  
ers, relative to.

SECTION 53. That the sheriff, or keeper of the Berks county prison, or jail, is hereby enjoined, and required, to receive, and keep, in safe custody, in the prison, or jail, of said county, until legally discharged therefrom, any person, who may be committed, by virtue of lawful process, from the mayor, or any alderman of the said city, in the manner, and under the same penalties, as if such person had been committed by the court of quarter sessions, or any judge thereof; and any, and all, neglect of duty, or wilful misbehavior, in the said sheriff, or keeper, of the said prison, or jail, towards such prisoners, or any of them, shall be, and the same is hereby, made cognizable, and punishable, as a like neglect of duty, or a like wilful misbehavior, in the said sheriff, or keeper, of the said prison, or jail, towards prisoners committed by any judge, or justice of the peace, of said county, is, or would be, cognizable, and punishable.

Estimates of re-  
ceipts, and ex-  
penditures, to  
be presented,  
annually, by  
the several de-  
partments.

Appropriations  
and disburse-  
ments.

SECTION 54. That the several departments, of the said city, shall, annually, on, or before, the last stated meeting, in the month of January, present estimates to councils, of the probable amount of receipts, and of the amount that, in their judgment, will be required during the current fiscal year, for the public service, in the several departments, respectively; and the said councils shall immediately, thereafter, proceed to appropriate the public moneys, by ordinance, to the several departments, for the current fiscal year, for the payment of loans, to meet the expenses of the city, and the making of such improvements as they may deem necessary; and the amount, so appropriated, shall be disbursed in such manner as councils may direct, from time to time, by joint resolution, during the year.

Railroad com-  
panies subject  
to certain re-  
strictions.

SECTION 55. That hereafter no railroad company, whose road does, or shall, terminate within, or pass through, the city of Reading, shall have the right, or power, to locate, or construct, that part of said road, which shall extend within the limits of said city, without first submitting the plans, and surveys, thereof, and exhibiting the grades, and routes, to the city councils, who shall have the power to conform the same, as far as may be practicable, to the general plan, and regulations, of the said city, as adopted at the time, and all charters, authorizing the construction of any railroad, within said city, shall be

taken to be subject to the above restrictions ; nor shall any such company occupy any street, avenue, or highway, within said city, without the permission of the said councils, first had and obtained : *Provided*, That this shall not be construed to apply to any railroad, already graded, or laid, with rails, in said city, or the West Reading railroad, unless the route, or grade, of said railroads, shall be altered. Proviso.

SECTION 56. That the city of Reading shall constitute one school district, to be termed the Reading school district, and all the school property therein shall be the common property of said district ; and the members of the board of controllers, for the time being, shall have power to levy, and collect, taxes, and the same rights, and powers, in relation to real and personal property, as is now, by law, conferred upon the school directors of the several districts of this commonwealth ; and they shall govern, and manage, the public schools in the manner now provided by law, for the continuance of a system of education, by common schools ; the qualified voters of each ward, of the city of Reading, excepting wards, where the terms of the controllers have not expired, and in which elections shall only be held to fill vacancies, shall, on the second Friday in February, one thousand eight hundred and sixty-five, elect four members of the board of controllers, of said district, two to serve for the period of two years, and two to serve for the period of four years ; and every two years, thereafter, the qualified voters, of each of said wards, shall elect two persons, to serve for the term of four years ; and all vacancies, which may happen in the said board, as hereby constituted, shall be filled in the same manner as is now provided by law : *Provided*, That in all cases, where two members of said board are required to be elected, to serve for the same term, each of said qualified voters shall vote for one person, as a member of said board of controllers, for said term, and the two persons, having the highest number of votes, shall be declared to be elected : *And provided further*, That when a vacancy, or vacancies, shall occur, in the office of controller, by death, resignation, or in any other manner than by the expiration of the term, for which any controller shall be elected, so that more than two controllers must be elected on the second Friday in February, in any ward of said city, the qualified voters of such ward, in addition to the one controller, to be voted for by each elector, to serve for four years, shall vote for one person, to fill each of such unexpired terms, by designating upon the ticket, to be voted, the number of years for which such controller is elected, and each elector shall vote for but one person, to fill such unexpired term ; and if there be two vacancies, for the same term, then the two candidates, having the highest number of votes, shall be declared elected ; and if there should be but one vacancy, for any unexpired term, then the candidate, having the highest number of votes for said term, shall be declared elected. To constitute one school district.  
Controllers,  
powers of.  
  
Election of.  
  
Proviso.  
  
Vacancies.

SECTION 57. That the annual assessments, of school taxes, shall be completed on, or before, the fifteenth day of May, in each and every year ; and upon the duplicate, or duplicates, having been made, as directed by the said board of controllers, Assessment and collection of school taxes.

the same shall be placed in the possession of the treasurer of said school district, who shall collect, and receive, said taxes, at a place to be designated by said board of controllers, and after the first day of August, in each and every year, the additional sum of five per centum shall be added to all the taxes, then remaining unpaid, in the duplicates, and after the first day of October, in each and every year, an additional sum of five per centum shall be added to all the taxes, then remaining unpaid, in the duplicates; and said treasurer shall continue to receive, and collect, said taxes, until, and on, the first day of October, in each, and every, year; after which date, the duplicates shall be placed in the hands of a collector; or collectors, to be appointed by said board of controllers, and the said collector, or collectors, shall proceed to collect the taxes, therein levied, in the manner now provided by law, for the collection of taxes.

Salaries.

SECTION 58. That no salary, of any officer to be elected, according to the provisions of this act, shall be increased, by any act, or ordinance, to take effect during the term for which such officer shall have been elected, unless such act, or ordinance, shall have been proposed at a stated meeting of councils, and passed at the next, or a subsequent, stated meeting; and in all cases, where the salary of any officer shall not be fixed by law, it shall be fixed by ordinance of the city councils.

Fine in case of refusal to accept office.

SECTION 59. That if any person, elected to any office, herein provided, shall refuse to take upon himself the duties of such office, he shall forfeit, and pay, the sum of twenty-five dollars, to be recoverable before the mayor, or any alderman, and paid into the treasury of said city, unless the same be remitted by the city councils, who are authorized, upon sufficient cause shown, by joint resolution, to remit fines, and penalties, imposed on persons, by virtue of the laws, and ordinances, of said city; and no person shall be incapacitated from being a judge, juror, or witness, in any suit for, or against, the said city, in consequence of such person being a citizen, or officer, of the said city.

Fines may be remitted.

Suits for, or against, city, relative to.

Officers, under former charter, to continue until election.

SECTION 60. That all persons, now holding offices under the present charter, shall hold their offices as they now may, or can, do, by law, until the officers, provided for in this act, are duly elected, and qualified, under the provisions of the same.

Powers and authorities not to be affected by omissions, &c.

SECTION 61. That this act, and the powers, and authorities, herein vested in the said city, shall not be impaired, affected, defeated, or destroyed, by any neglect, or omission, to appoint all, or any, of its officers, at the time, or times, allotted for the same; and in case of any such neglect, or omission, the mayor of the said city shall forthwith take all necessary measures to cure, and supply, such defects, and omissions, giving due notice thereof.

Repeal.  
Proviso.

SECTION 62. That all acts, and parts of acts, inconsistent with this act, are hereby repealed: *Provided*, That the repeal of said acts, shall not affect any act done, or any right accruing, or accrued, or established, or any suit, or proceeding, had, or commenced, in any civil case, before the time of the repeal; and no offence committed, and no penalty, or forfeiture, incurred under the acts hereby repealed, shall be affected by



the repeal; and no suit, or prosecution, pending at the time of repeal, for any offence committed, or for the recovery of any penalty, or forfeiture, incurred, under the acts hereby repealed, shall be affected by such repeal: *And provided further*, That the ordinances now in force, in said city, shall continue in force, so far as the same are not inconsistent with this act, until the same shall be repealed, altered, or supplied, under the authority given to the councils of the said city. Proviso.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 511.

## An Act

Relating to the Junction Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be lawful for the Junction Railroad Company, with their road, to cross at grade, and connect with, the railroad of any other company, on their route, and at such angle of crossing, as may to them seem advisable.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 512.

*A Supplement*

To the act incorporating the Tremont Coal Company, formerly the Eagle Iron Company, approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Time and place  
for holding the  
election of offi-  
cers.

That the election of officers, to manage the affairs of the said Tremont Coal Company, may be held at their office, in Philadelphia, at any time within sixty days after six days' notice, of the time, and place, in one daily paper, published in said city.

Provisions of  
certain act ex-  
tended to.

SECTION 2. That said company may hold, use, and enjoy, their lands, and the products thereof, to the same extent as, and in like manner, with companies credited under the provisions of the act, entitled "An Act to enable joint tenants, tenants in common, and adjoining owners of mineral lands in this commonwealth, to manage, and develop, the same," approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-four, and the several supplements thereto.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 513.

*An Act*

To incorporate the Furnace Run Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That Thomas Baumgardner, Jacob Bausman, John B. Douty, Henry Baumgardner, and Ambrose Genther, and such other

persons as shall be associated with them, their successors, and assigns, be and the same are hereby enacted with a body politic, and corporate, in deed, and by law, with all the powers, and privileges, incident to, and, by law, pertaining to, a body politic, and corporate, by the name, style, and title, of the Fur- Title.  
 nace Run Improvement Company, with a capital of two Capital.  
 hundred thousand dollars, with power to increase the same to three hundred thousand dollars, to be divided into shares of twenty-five dollars each.

SECTION 2. That the affairs of said company shall be managed by a board of five directors, one of whom shall be president, who shall be chosen by said directors. The first election shall be held at such time, and place, as the said corporators may determine upon; of which election two weeks' public notice shall be given, in one or more newspapers published in the county of Northumberland; and subsequent elections shall be held at such time, and place, annually, as the directors shall determine, of which the same notice shall be given. All elections shall be by ballot, and every share of stock subscribed, and paid in, agreeably to the by-laws of said company, shall entitle the holder to one vote. Management.  
 Election of directors.  
 Notice.  
 Votes.

SECTION 3. That said corporation, by the name aforesaid, shall have authority to hold, and use, a common seal, and the same to change, alter, or amend, at pleasure; and by the name aforesaid, shall be capable, in law, to sue, and be sued, and may make such regulations, and by-laws, for the well ordering of the affairs of said corporation, as the directors may deem necessary, and expedient, so that the same shall not conflict with the constitution, and laws, of this commonwealth. Seal.  
 By-laws.

SECTION 4. That said corporation, by the name aforesaid, may purchase, and hold, coal lands in the county of Northumberland, not exceeding, at any one time, one thousand acres, with power to mortgage, sell, lease, or otherwise dispose of, the same, or any part thereof; and the capital of the said company may be employed in mining, vending, and transporting to market, the product of their lands, and in such other objects as may be considered necessary, and expedient, in the prosecution of said business; but nothing herein contained shall be construed to authorize said corporation to exercise banking privileges. Authorized to hold coal lands, &c.  
 Prohibition.

SECTION 5. That dividends may be declared, and paid, semi-annually or annually, as the directors may order. Dividends.

SECTION 6. That this act shall not take effect until two thousand shares shall have been subscribed, and paid in; a statement of which, containing the names of the subscribers, and the amount subscribed by each, verified by the oath, or affirmation, of some one of the subscribers, shall be furnished to the governor, to be filed in the office of the secretary of the commonwealth; whereupon, the governor shall issue letters patent to the corporators. When this act to take effect.  
 Letters patent.

SECTION 7. That subscriptions to the stock may be paid in part, or in whole, in real estate, appropriate to the business contemplated by this act, at a *bona fide* cash valuation, to be agreed upon by a majority, in interest, of the subscribers and stockholders. Subscriptions to stock, how to be paid.

Bonus.

SECTION 8. That the said corporation shall pay to the state treasurer, for the use of the commonwealth, one-half of one per centum upon the amount of the capital stock subscribed, and paid in, payable in four equal annual payments, after the issuing of said letters patent; and that the dividends of said company shall be subject to such taxation as is imposed upon other like corporations, by the general laws of this commonwealth.

Tax upon dividends.

Individual liability.

SECTION 9. That the stockholders in said corporation shall be individually liable to all the provisions, with regard to individual liability, contained in an act, entitled "An Act to encourage manufacturing companies in this commonwealth," approved the seventh day of April, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

May borrow money, and issue bonds therefor.

SECTION 10. That said corporation shall have the right to borrow any sum, or sums, of money, not exceeding the one-half of their authorized capital, and to issue bonds, or certificates of loan, therefor, with, or without, coupons attached; and give to such bonds, or certificates, such preference, and security, by mortgage, or otherwise, as the directors of said company may deem expedient: *Provided*, That no bond, or certificate, shall be issued for a less sum than one hundred dollars, and that the interest, payable on the same, shall not exceed seven per centum per annum.

Proviso.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 514.

## An Act

To incorporate the Union Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Corporators.

That Francis S. Kiddy, H. H. Bordy, E. A. Quintard, O. D. Ashley, and Edward L. Baker, and such other persons as shall be associated with them, their successors, and assigns, be, and the same are hereby erected into a body politic, and corporate, in deed, and by law, with all the powers, and privileges, inci-

Privileges.

gent to, and by, law, pertaining to a body politic, and corporate, by the name, style, and title, of the Union Coal Company, Name. with a capital of one million of dollars, with power to increase the same to two millions of dollars, to be divided into shares Capital. of fifty dollars each.

SECTION 2. That the affairs of said company shall be man- Management. aged by a board of seven directors, one of whom shall be president, who shall chosen by said directors; the first elec- Election of di- tion shall be held, within six months after this act takes rector's. effect, of which election public notice shall be given two weeks, Notice. in one, or more, newspapers, published in Luzerne county; and subsequent elections shall be held, at such times, and place, annually, as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every share of stock subscribed, and paid in, shall entitle Votes. the holder to one vote.

SECTION 3. That the said corporation, by the name aforesaid, Seal. shall have authority to hold, and use, a common seal, and the same to change, alter, or amend, at pleasure; and by the name, style, and title, aforesaid, shall be capable, in law, to sue, and be sued, before any court, or justice of the peace, in this commonwealth, and may make all needful rules, regulations, and by-laws, for the well ordering of the business, and affairs, of By-laws. the said corporation.

SECTION 4. That the said corporation, by the name aforesaid, Authorized to may purchase, lease, and hold, coal lands, in the counties of hold coal lands in certain coun- Luzerne, and Schuylkill, not exceeding, at any one time, two ties, &c. thousand acres, with power to mortgage, sell, lease, or otherwise dispose, of the same, or any part thereof; and the capital of said company may be employed in mining, vending, and How capital to be employed. transporting to market, the product of their mines, and in such other objects as may be considered necessary, in the prosecution of their legitimate business; but nothing, herein contained, shall be construed to authorize said corporation to Prohibition. exercise banking privileges.

SECTION 5. That an annual report shall be made to the audi- Annual report tor general of the commonwealth, in the month of January, to be made to of each year, to be, by him, filed in his office, and verified by the auditor the oath, or affirmation, of the president, secretary, or treasurer, of said company, showing the amount of capital stock paid in, and the number, and amount, of dividends declared, and paid, during the current year. general.

SECTION 6. That dividends may be declared, and paid, semi- Dividends. annually, or annually, as the directors may order; but such dividends shall, in no case, exceed the amount of actual profit acquired by the company.

SECTION 7. That this act shall not take effect until two thou- When this act sand shares shall have been subscribed, and paid in, a state- to take effect. ment of which, containing the names of the subscribers, and the amount subscribed by each, verified by the oath, or affirmation, of some one of the subscribers, shall be furnished to the governor, to be filed in the office of the secretary of the commonwealth; whereupon, the governor shall issue letters Letters patent. patent to the corporators.

Subscriptions  
to stock, how  
to be paid.

Individual lia-  
bility.

Bonus.

May borrow  
money, and  
issue bonds  
therefor.

Proviso.

SECTION 8. That subscriptions to the stock may be paid, in part, or in whole, in real, or personal, estate, appropriate to the business contemplated by this act, at a *bona fide* cash valuation, to be agreed upon by a majority, in interest, of the subscribers, and stockholders; and the stockholders of said company shall be jointly, and severally, liable, in their individual capacities, and estate, for debts due miners, and other laborers, employed by said company, and for machinery, provisions, merchandize, country produce, and materials furnished, to be enforced, and collected, in the manner provided for, in an act, entitled "An Act to encourage manufacturing operations in this commonwealth," approved the seventh day of April, Anno Domini one thousand eight hundred and forty-nine.

SECTION 9. That the said corporation shall pay to the state treasurer, for the use of the commonwealth, one-half of one per centum, upon the amount of the capital stock subscribed, and paid in, payable in four equal, annual, payments, after the issuing of the said letters patent.

SECTION 10. That said corporation shall have the right to borrow any sum, or sums, of money, not exceeding the one-half of their capital, and to issue bonds, or certificates of loan, therefor, with, or without, coupons attached, and give to such bonds, or certificates, such preference, and security, by mortgage, or otherwise, as the directors of said company may judge expedient: *Provided*, That no bond, or certificate, shall be issued for a less sum than five hundred dollars, and that the interest, payable on the same, shall not exceed seven per centum per annum.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 515.

## An Act

Vacating Wharf street, in the Second and Third wards, of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That that part of Wharf street, in the Second and Third wards

of the city of Philadelphia, extending from Queen to Washington streets, be, and the same is, hereby vacated; and that the title of the owners of property, fronting on each side of the said vacated street, shall extend to, and include, the portions of the soil of the said street, intervening between the front lines of their respective lots, and the middle of the said street.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 516.

## An Act

Relating to certain streets in the Twenty-fourth ward, of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That such streets, and parts of streets, as lay within the boundaries of the Powelton estates, of the Pennsylvania Railroad Company, in the Twenty-fourth ward of the city of Philadelphia, as may be designated, upon a plan to be filed, by said company, in the office of the chief engineer, and surveyor, of said city, as requisite to be vacated, within the limits of the property of said company, for the more convenient construction of depots, shops, and other buildings, for the use of said company, and for the more convenient arrangement of tracks, and sidings, be and the same are hereby declared to be vacated, from the time of the filing of said plan, as aforesaid.

Certain streets, and parts of streets, to be vacated.  
Plan to be filed.

SECTION 2. That it shall, and may, be lawful for any party, injured thereby, if such there be, to apply for a jury, in the manner prescribed by existing laws, in force in the city of Philadelphia, in relation to the vacating of streets, and the award of such jury, when finally confirmed, shall be paid by said railroad company: *Provided*, That public notice, by advertisement, be given of the filing of said plan: *And provided*

Parties injured may apply for juries to assess damages.  
Award of.  
Proviso.

Proviso.

also, That such application, for a jury, be made, within three months after such notice is first published.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 517.

## An Act

To revive and amend an act in relation to the accounts of Allen M'Kean, late prothonotary of Bradford county, approved the fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act in relation to the accounts of Allen M'Kean, late prothonotary of Bradford county, approved the fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three, be and the same is hereby revived, and continued in full force and virtue, and that Aaron K. Peckham, S. B. Chase, and Thomas J. Ingham, auditors, appointed by the court of common pleas of Bradford county, under the provisions of the first section of the said act, are hereby authorized to resume, and continue, the duties imposed upon them by said act, until the same have been fully completed, and discharged, according to the provisions of said act; and that the final report of said auditors shall have the same force, and effect, in every respect, as if the same had been made, and completed, under and by virtue, of the act hereby revived; and the said auditors shall each be allowed four dollars per day, for each day actually employed in said service, after the passage of this act, not exceeding thirty days each, to be paid by warrant of the auditor general, on an account settled in the usual manner.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 518.

**A Supplement**

To an act to change the width of York street, in the city of Philadelphia, approved the seventeenth of March, one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of York street, as lies between Moyer (formerly Brown) street, and the Aramingo canal, in the Nineteenth ward, be changed to the width of fifty feet, and to conform to the width of the bridge, over said canal; and all acts of assembly, contrary to this, be and the same are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 519.

**A Supplement**

To an act, entitled "An Act relating to railroad companies," passed May sixteenth, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever any merger, or consolidation, shall take place, between two, or more, railroad companies, under, and by virtue of, the act of assembly, to which this is a supplement, the company, into which such merger shall take place, shall have power, and authority, to make such increase in its capital stock, and shares, as may be expedient in carrying such merger, or consolidation, into effect: *Provided however,* That such increase shall not be more than the amount of the capital

stock, and shares, of the company, or companies, so merged, and consolidated.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 520.

## An Act

Regulating the standard number of shingles, and lumber, used in coo-  
perage.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from, and after, the passage of this act, it shall not be lawful for any person, or persons, engaged in the business of purchasing, collecting, or furnishing, shingles, or hoop-poles, shaved hoops, straps, shucks, staves, and heading, of any kind of material whatsoever, used in the manufacture of wooden vessels, to demand, or deliver, more than ten hundred pieces in number, for one thousand; and that when any, or either, of the above mentioned articles of lumber be purchased, or sold, by the thousand, it shall be so considered, any custom, or usage, to the contrary notwithstanding.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 521.

*An Act*

To erect an independent school district, from portions of the townships of Davidson, Sullivan county, and Penn and Franklin townships, Lycoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

That the real estate, now owned, or occupied, by John Strawbridge, H. G. Philips, Rebecca Philips, Clark T. Philips, James Biggers, Jacob Buck, George W. Philips, Robert M. Biggers, and Solomon Swank, of the township of Davidson, in the county of Sullivan, and Joseph Converse, and James M'Clemons, of the township of Franklin, Lycoming county, and James Heller, William George, A. C. Walter, Anna Sanders, John H. Welsh, and Robert G. Richart, of Penn township, Lycoming county, be and hereby is erected into a separate and independent school district, to be called the North Mountain school district, with all the rights, and privileges, that other school districts now, or may hereafter, be entitled to, under the school laws of this commonwealth; and that the qualified voters, embraced within the boundaries of said district, shall, on the first Saturday of May, Anno Domini one thousand eight hundred and sixty-four, at the school house, in said district, elect three school directors, one to serve one year, one to serve two years, and one to serve three years, and annually thereafter, on the first Saturday of May, an election shall be held, to elect one school director, for said district, to serve for three years; and that G. W. Philips be and is hereby authorized to act as judge, and James Heller, and Joseph Converse, inspectors, to hold and conduct the election on the first Saturday of May, Anno Domini one thousand eight hundred and sixty-four, which election shall be held, and conducted, as other elections for township officers are conducted; and at said election, the said qualified voters shall also elect one judge, and two inspectors, for the next ensuing election; and each and every year, thereafter, said qualified voters shall elect a judge, and two inspectors, of said election, for said school district.

An independent school district created.

Name.

Privileges.

Election of directors, when and how held.

SECTION 2. The judges, and inspectors, above appointed, and to be elected, as above provided, shall be required to give at least five days' public notice, of the time, and place, of holding said election, by written or printed handbills, put up in three of the most public places in said district.

Judges and inspectors to give notice.

SECTION 3. That the said school directors, of said independent district, are hereby authorized, and empowered, in each and every year, at the time of making assessments, for state and county purposes, in a separate book, for that purpose, to assess all property, professions, trades, occupations, and per-

Directors to levy tax.

Treasurer and tax collector to be appointed.

sons, within said district, subject to taxation, under the school laws of this commonwealth, to appoint a treasurer, and tax collector, for said district, and cause the said taxes to be collected and applied to school purposes, in said district; said treasurer, and tax collector, shall give bail, if required; and all the aforesaid property, professions, trades, occupations, and persons, shall be free from any imposition of school taxes, by the directors of the aforesaid townships.

To receive proportionate share of state appropriations, and unseated land taxes.

SECTION 4. It shall be the duty of the school directors, of the townships of Penn. Franklin, and Davidson, aforesaid, respectively, to pay, or cause to be paid, to the directors of the said North Mountain school district, its due proportion of the state appropriation, if the same shall have been at any time paid to said township directors, or any of them, and also its due proportion of the unseated land taxes, to be adjusted every two years, according to the taxables within said district, taken from said townships, when compared with the taxables of each of said townships; and in case of a refusal to pay the same, or in case of a disagreement between the directors of any of said townships, and said North Mountain school district, as to the amount of said proportionate share of state appropriation, or unseated land taxes, to be so paid over by said township directors, the said North Mountain school district is hereby authorized to recover the amount properly due to it, against either of said township directors, by action of *assumpsit*, or bill in equity, in the courts of common pleas, of the proper county, which is hereby authorized, and required, to adjudicate the same, and enforce its judgments, or decrees, in the same manner, as provided for in other cases.

In case of refusal to pay the same, directors may recover.

Annual reports to be made to state superintendent.

SECTION 5. The said North Mountain school district shall, hereafter, make annual reports to the state superintendent of common schools, in the same manner as other school districts are required by law, to make reports, and be entitled, annually, to receive its proper quota of the state appropriation to common schools.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 522.

**An Act**

Supplementary to an act extending the charter of the Pennsylvania Salt Manufacturing Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the Pennsylvania Salt Manufacturing Company is hereby authorized to increase its capital stock, to any amount, not exceeding, together with its present capital stock, the sum of five hundred thousand dollars, in shares of fifty dollars each; and that the proviso of the second section of the act of seventh March, one thousand eight hundred and sixty, extending the charter of said company, which limits the amount of its capital stock to four hundred thousand dollars, be and the same is hereby repealed. Increase of capital stock authorized.

**SECTION 2.** The directors of said company may dispose of said additional stock, by opening books for subscription thereto, from time to time, subject to the provisions of the seventh section of the general manufacturing law, of seventh April, one thousand eight hundred and forty-nine, as to the call for collection, and penalties, for non-payment of instalments; the directors may also, if they see fit so to do, from time to time, declare dividends of the profits, which may have been heretofore, or which may hereafter, be earned by said company, payable to the stockholders of said company in scrip certificates, convertible into the stock of said company, at par, when presented to the treasurer, in sums of fifty dollars: *Provided,* That the increase of stock, in the manner provided by this section, or by the second section of the act of assembly of seventh March, one thousand eight hundred and sixty, extending the charter of said company, shall not exceed the limit fixed by the first section of this act; and shall pay into the state treasury a bonus of one-half of one per cent. upon such increase of capital stock, in four equal, annual, payments. Subscriptions, relative to.  
Dividends.  
Limitation.  
Bonus.

**HENRY C. JOHNSON,**  
Speaker of the House of Representatives.

**JOHN P. PENNEY,**  
Speaker of the Senate.

**APPROVED**—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

**A. G. CURTIN.**

No. 523.

**An Act**

To incorporate the Local Telegraph Company.

Corporators.	<p><b>SECTION 1.</b> <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That John S. Rittenhouse, John Dorrance, David R. Walker, Watson Comly, H. S. Leech, Robert O. Stewart, William B. Moore, R. S. Barrows, Pitt Barrows, and E. W. Gould, J. W. Kribs, and H. Gehr, and their associates, and such other persons as may hereafter become subscribers to the capital stock of the Local Telegraph Company, their successors, and assigns, shall be, and they are hereby, constituted, and made, a body politic, and corporate, by the name, and style, of the Local Telegraph Company, and by that name shall, and may, have perpetual succession, and be capable, in law, of purchasing, leasing, holding, and disposing of, all such property, real, personal, and mixed, as may be necessary for the purposes, for the accomplishment of which, this corporation is created, and may sue, and be sued, plead, and be impleaded, answer, and defend, and be answered, and defended against, in all courts, whether of law, or equity; and may receive, and make, all deeds, transfers, mortgages, instruments of writing, covenants, contracts, agreements, and bargains, whatsoever, necessary for said purposes; and may have, and use, a common seal, which the company shall have power to alter, and renew, at pleasure; to make, revise, alter, and annul, by-laws, rules, and regulations; and generally may do every other act, or thing, necessary to carry into effect the provisions of this act, and promote the objects, and designs, of said company, authorized by this act, not contrary to the laws, or constitution, of the United States, or of this commonwealth.</p>
Name.	
Privileges.	
Seal.	
By-laws.	
Construction of lines, within certain counties, authorized.	<p><b>SECTION 2.</b> That the said company shall have authority, from time to time, to erect, lay down, construct, maintain, and keep up, and operate, a line, or lines, of telegraph wires, conductors, and other materials used in telegraphing, through, and within, the counties of York, Lancaster, Chester, Delaware, the city and county of Philadelphia, Montgomery and Bucks counties, either along, over, upon, or under, any of the public streets, roads, or highways, or through, across, at the bottom of, or under, any of the waters, navigable, or un-navigable, of this commonwealth, within the limits of the counties, and city, aforesaid; and, also, along, through, over, across, or under, any other land, within the limits of said counties, by the erection of masts, posts, poles, and all other necessary, and usual, fixtures, and materials, for sustaining wires, conductors, and other materials, and improvements, for such line, or lines, and by suspending such wire, or wires, conductors, and other materials, thereon, and therefrom, or by constructing, establish-</p>

ing, and maintaining, a line, or lines, of wire, or other materials used in telegraphing, upon, or under, said lands, or under water, with, or without, tubes, or covering, or by any other means, or instruments, which shall be, from time to time, deemed most suitable by such company; and such company shall be authorized to select, and adopt, from time to time, in lieu of the route selected by it, another route for said line, or lines, within the limits aforesaid; and may, also, add to the number of wires, conductors, and other materials, and instruments; and may, also, by contract, use said line, or lines, in connection with any other line, or lines, of telegraph, within, or without, this commonwealth: *Provided*, That such line, or lines, or the improvements thereon, shall, in no case, be constructed, in such manner, as to incommode the public use of said streets, roads, or highways, or injuriously interrupt the navigation of said waters; and that no posts, masts, or poles, shall be erected upon, or through, any garden, or orchard, without the consent of the owner thereof: *Provided also*, That before the said company shall proceed to construct such line, or lines, upon, through, over, across, or under, the land of any individual, it shall first pay, secure, or tender, to such individual, such compensation as shall have been agreed upon between the parties, or as shall have been adjudged, as provided in the following section.

Routes, relative to.

May use other lines.

Proviso.

Proviso.

SECTION 3. That if the said corporation, and the owner, or owners, of any lands, through which the said line, or lines, shall pass, cannot agree upon the price, or compensation, to be paid by said company, for the use of such part of said land as may be required by said company, or for the damages alleged to be done thereto, it shall, and may, be lawful, for either party, to apply to the clerk of the court of common pleas, for the county within which such land is situate, by petition, setting forth the facts in relation thereto; whereupon, it shall be the duty of said court, immediately, to appoint three disinterested persons, residents of said county, or of any adjoining county, and to fix a time, not more than thirty, nor less than twenty, days, thereafter, for the meeting of said viewers, upon the premises upon which the damages shall be alleged to have been sustained; of which time, and place, at least ten days' notice shall be given, by the petitioning party, to said viewers, and to the other party; and when said viewers shall have so met, they shall first be sworn, or affirmed, as the case may be, justly, equitably, and fairly, to assess the damages, if any, which may have been, or are likely to be, sustained by the owner, or owners, of such land; and, also, the value of the benefit, and advantage, if any, which may have accrued, or are likely to accrue, to said owner, or owners, from the construction of said line, or lines, or from any works connected therewith; and they shall then carefully view the premises, and justly, equitably, and fairly, estimate, and assess, the damages, if any, which may have been, or are likely to be, sustained by the owner, or owners, of such lands, through which the said line, or lines, shall pass, or be intended to pass, after deducting therefrom the benefits, and advantages, which may have accrued, or are likely to accrue, to such owner, or own-

Damages, how to be assessed, &c.

Viewers to be appointed.

Their duties.

Report, when confirmed, to have the effect of a judgment.	ers, from the said line, or lines, or any works connected therewith, and shall make out, and sign, a report of their assessment of damages, and benefits, and return the same to the court by which they may have been appointed, at, or before, the next term thereof; which report, when confirmed by said court, shall have the effect of a judgment of said court, and shall be collected in like manner as other judgments of the same court are collected, together with costs of court: <i>Provided however</i> , That if the president, secretary, treasurer, and other officer, of said company, shall, at any time prior to the making of application, by either party, for the appointment of viewers, in the manner hereinbefore directed, tender to the owner, or owners, of said land, a sum of money, in full compensation for the said alleged damages, the said company shall not be liable for any costs upon any subsequent proceedings, unless such owner, or owners, shall be declared entitled to receive a larger sum than the amount previously tendered by the said company; and the judgment founded upon such report shall be subject to reversal, upon appeal, or writ of error, taken by either party, in like manner as in the case of other judgments, of like amount, in the same court.
Company not liable for costs, where money has been tendered.	
Exception.	
Appeal.	
Capital stock.	SECTION 4. That the capital stock, of said company, shall be the sum of fifty thousand dollars, to be divided into shares of twenty-five dollars each, certificates for which, signed by the president, and countersigned by the secretary, and sealed with the common seal, shall be issued to subscribers, as shall be directed by the president, and directors, of said company; and it shall be lawful for any corporation, other than counties, townships, or municipal corporations, to subscribe for, and hold, and dispose of, shares in the capital stock of their said company.
Certificates.	
Subscriptions by corporations, relative to.	SECTION 5. That the persons, named in the first section of this act, and each of them, and any person, or persons, authorized by them, or either of them, be and they are hereby authorized to receive, and take, subscriptions to the capital stock; and if a greater amount than the sum named, for the said capital stock, be subscribed, the said capital stock shall be divided rateably among all parties, who shall have become subscribers before the first meeting provided for, by the following section.
Who may receive subscriptions, &c.	
Meeting of subscribers.	SECTION 6. That the persons, named in the first section of this act, or any two of them, together with any of the parties, who shall have become subscribers to the capital stock of the company, shall, within the period of six months, after the passage of this act, call a meeting of the subscribers, at such time, and place, as the said two parties, and any other subscriber, who may be called on, and unite in such call, as aforesaid, may appoint, and shall give, at least, twenty days' public notice, thereof, by publication, in one, or more, daily papers, published in the city of Philadelphia; and thereupon, at said meeting, the said subscribers, or a majority of them, shall elect five directors, from the subscribers, by ballot, to manage the affairs of said company; and these five directors, or a majority of them, shall have the power of electing a president of said company, either from amongst the said directors, or the sub-
Notice.	
Election of directors.	
President.	



scribers, and of allowing him such compensation, for his services, as they may deem proper; and the president, and directors, elected under the provisions of this section, shall hold their office until the election of a new board of directors, and president, in accordance with the provisions of the next section; and in said election, and on all other occasions, wherein a vote of the stockholders, of said company, is to be taken, each stockholder shall be allowed one vote for each share owned by it, him, or her; and every stockholder may, in writing, depute any other person to vote, and act, for it, him, or her, as its, his, or her, proxy; and the said persons, named in the first section of this act, or any two of them, and such other persons becoming subscribers, as aforesaid, shall select three of their number to act as judges of said election.

Votes.

Proxies.

Judges of election.

Election of officers to be held annually.

Vacancies.

Failure to hold election, relative to.

SECTION 7. That to continue the succession of the president and directors of said company, five directors shall be chosen, annually, from the stockholders, on the first Tuesday of November, in every year; and the directors of said company, or a majority of them, shall have power to appoint three judges of election, and to elect a president of said company, from the said directors, or other stockholders, and allow him such compensation as they may deem proper; and if any vacancy shall occur, by death, resignation, or refusal to act, of any president, or director, before the year, for which he was elected, has expired, a person to fill such vacancy, for the residue of the year, may be appointed, by the said president and directors, or a majority of them; and that the said president, and directors, shall hold, and exercise, their offices, until a new election of president, and directors; and that all elections, which are, by this act, to be held, at a particular time, if not held on such day, may be held, at any time, within thirty days, thereafter, after notice shall have been given, for the time, and in the manner, specified in the preceding section.

Appointment of secretary, treasurer, and other officers.

Powers of directors.

SECTION 8. That the said president, and directors, may appoint, and remove, at pleasure, a secretary, and treasurer, and all other officers, and employees, of said company, fix the amount of their salary, and exercise all other powers, properly connected with the accomplishment of the purposes of this act, and shall have power to declare dividends of the profits.

General and special meetings.

SECTION 9. That a general meeting, of the stockholders, shall be held, annually, at the time, and place, appointed for the election of president, and directors, unless the stockholders, at an annual meeting, shall otherwise direct; and special meetings shall be called, by the president, and directors, whenever, in their opinion, the interests of the company may require, or when it may be demanded, by the persons holding one-third of the capital stock, such reasonable notice to be given, of the time, and place, of holding such meetings, as may be prescribed by the by-laws of the company.

Notice.

SECTION 10. That all dispatches, of the government of the United States, and of this commonwealth, shall have precedence of all others, and shall not be charged for, at higher rates, than private dispatches, of the same length.

Government dispatches to have precedence.

SECTION 11. That nothing, herein contained, shall be construed, to give any banking privileges, or to authorize the issue

Prohibition.

of any scrip, note, or device, in the nature of currency, or to be used as money.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 524.

## An Act

To authorize the trustees of the Brush Creek German Lutheran and German Reformed congregations of Westmoreland county, to sell the coal under certain real estate.

WHEREAS, David Marchand, late of Westmoreland county, deceased, by deed, duly recorded in the recorder's office of said county, did convey to the trustees therein named, of the Brush Creek German Lutheran and German Reformed congregations of Hempfield township, Westmoreland county, and their successors, certain real estate, therein described, situate in said township, containing now about one hundred acres, for the use of the congregations aforesaid, as therein set forth :

And whereas, The congregations, aforesaid, are desirous of selling the coal, underlying a part of said real estate, not required for their use, and the trustees, who hold the title, have no authority to sell the same, free from the operation of said trust ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Peter Whitehead and Michael Baughman, trustees of the real estate of the congregations aforesaid, duly chosen as the successors of the trustees, named in above recited deed, be and they are hereby authorized, and empowered, to grant, bargain, and sell, all the merchantable coal, under the surface of a certain portion of said real estate, adjoining lands of Shrum's heirs, Hays, Weigleys, and others, recently surveyed off, and bounded, and described, as follows : beginning at a white-oak tree, on line of Weigley's land ; thence south, twenty-five and one-half degrees, west sixty-eight perches, to a post ; thence south, sixty-four and one-half degrees, east nine and one-half perches, to a post ; thence south, twenty-five and one-half degrees, west eighteen perches to a post ; thence

north, sixty-four and one-half degrees, west nine and one-half perches, to a post; thence south, twenty-five and one-half degrees, west twenty-seven and two-tenths perches, to a post; thence south, seventy-five degrees, east and one-sixteenth perches, to a post; thence north, along Altman's land, seventy-one and one-half degrees, east ninety-seven and one-half perches, to a post; thence south, forty-four degrees, east forty-three and four-tenth perches, to a stone; thence north, eighty and one-half degrees, east forty-five perches to a post, by hickory; thence north fifty-five and one-half degrees, west forty-five perches, to a stone; thence north, forty-nine and three-fourth degrees, west one hundred and eight and seven-tenths perches, to a white-oak, and the place of beginning, and containing forty-one acres and eighty-six perches; and to convey the merchantable coal, underlying the surface, so as aforesaid described, to the purchaser thereof, in fee simple, with general mining privileges, released, and forever discharged, from all and every the trusts in said deed contained, or otherwise, so that the purchaser, or purchasers, shall take the coal, and privileges, so conveyed to him, or them, without any liability, on his or their part, to see to the application of the purchase money; and such conveyance shall vest an indefeasible title to the coal aforesaid, and so conveyed to the purchaser, or purchasers, thereof; and the said trustees shall apply the proceeds thereof for the use and benefit of the congregations aforesaid.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 525.

## An Act

To incorporate the Northern Coal and Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Ira Tripp, Thomas Dickson, A. B. Dunning, Samuel Sherand, W. W. Ketcham, and such other persons as shall be associated with them, and their successors, be and the same are hereby erected into a body corporate, and politic, by the

Corporators.

Name.	name, and style, of the Northern Coal and Iron Company,
Capital stock.	and the capital stock of said company shall consist of ten thousand shares, of one hundred dollars each, with power to increase the same, from time to time, by vote of the stockholders, to an amount not exceeding ten thousand shares additional.
Election of directors.	SECTION 2. That the affairs, of said company, shall be managed by a board of seven directors, one of whom shall be the president, who shall be chosen by the stockholders; all elections shall be by ballot, and every share of stock subscribed, and paid in, shall entitle the holder to one vote.
Votes.	SECTION 3. That this corporation shall have, and use, a common seal, and the right to change, alter, or amend, the same, at pleasure, and by the style, and title, aforesaid, shall be capable, in law, to sue, and be sued, in the several courts of this commonwealth, and may make all needful rules, and regulations, and by-laws, for the well ordering of the business, and affairs, of the corporation, so that the same shall not conflict with the laws and constitution of this state, or of the United States.
Seal.	
By-laws.	SECTION 4. That the said corporation may hold, in the county of Luzerne, lands, not exceeding three thousand acres, with power to mortgage, sell, lease, or otherwise dispose of, the same, or any part thereof, and all materials, in, or upon, the same; the capital of said company may be employed in mining, and vending, iron ores, making, and manufacturing, iron, mining coal, and limestone, and transporting, and vending, the same, and such other objects as are necessary in the prosecution of said business; and the said company shall have the right to construct and operate lateral railroads, from their mines, either of coal, or iron, not exceeding twenty miles in length, to connect with any railroad, now constructed, or to be hereafter constructed, in the county of Luzerne.
Authorized to hold lands, &c.	SECTION 5. That an annual report shall be made, to the secretary of the commonwealth, and verified by the oath, or affirmation, of the president, or secretary, of said company, showing the amount of capital stock of said company paid in, of the number of acres of land held, the quantity of iron manufactured, and coal mined, for the current year.
How capital to be employed.	SECTION 6. That this act shall not take effect, until one thousand shares of stock shall be subscribed, and paid in, of which a statement, containing the names of the subscribers, and the amount subscribed by each, verified by oath, or affirmation, shall be given to the governor, to be filed in the office of the secretary of the commonwealth; whereupon, the governor shall issue letters patent to the corporators.
May construct lateral railroads.	SECTION 7. That said company be and they are hereby authorized to borrow money, to an amount not exceeding one-half the capital stock, upon the bonds of said company, secured by one, or more, mortgages, upon so much of the corporate property, and franchises, as shall be deemed adequate security for the same, whenever the president, and directors, of said company, shall deem the issue of such bonds expedient, for the interests of said corporation: <i>Provided</i> , That the rate of interest, on such bonds, shall not exceed seven per cent. per
Annual report to be made to secretary of the commonwealth.	
When act to take effect.	
Letters patent.	
Authorized to borrow money upon bonds.	
Proviso.	

annum, and that no bonds shall be issued for a less sum than one hundred dollars.

SECTION 8. That subscriptions of stock may be paid in, in real and personal estate, appropriate to the business contemplated by this act, at a *bona fide* cash valuation, to be agreed upon by a majority, in interest, of the subscribers, and stockholders. Subscriptions to stock, how to be paid.

SECTION 9. That all transfers of stock, in said company, shall be entered on the stock books thereof, and said books shall, at all times, be open to inspection of any officer, or stockholder, of said company; and said transfers shall be made agreeably to the by-laws, which may be adopted by said company. Transfers.

SECTION 10. That this corporation shall pay, into the treasury of this commonwealth, a bonus of one-half of one per centum, on the capital stock hereby authorized, and on any increase, thereof, in four equal, annual, instalments, and such taxes on dividends as is, or may be, provided by law; and the stockholders, of said company, shall be individually liable for all debts due mechanics, workmen, and laborers, employed by said company, and for all provisions, and materials, furnished to said company, as is provided in the eleventh, twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Iron and Coal Company, approved the fifth day of April, one thousand eight hundred and fifty-three. Bonus.  
Taxes on dividends.  
Individual Liability.

SECTION 11. That the legislature reserves the right to amend, alter, or repeal, this act of incorporation, at any time; in such manner, however, as shall do no injustice to the corporators. Reservation.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 526.

## An Act

To incorporate the Wyoming Coal and Transportation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles Parrish, John H. Swoyer, W. W. Ketcham, O. W. Davis, and W. Lee, Junior, and such other persons, as shall be associated with them, their successors, and assigns, be, and Corporators.

Privileges. the same are, hereby, erected into a body politic, and corporate, in deed, and by law, with all the power, and privileges, incident to, and by law pertaining to, a body politic, and corporate, by the name, style, and title, of the Wyoming Coal and Transportation Company, with a capital of five hundred thousand dollars, with power to increase the same to one million dollars, to be divided into shares of twenty dollars each.

Title. SECTION 2. That the affairs of said company shall be managed, by a board of five directors, one of whom shall be president, who shall be chosen, by said directors; the first election shall be held, within six months after this act takes effect, of which election, two weeks' public notice shall be given, in one newspaper, published in the borough of Wilkesbarre, and subsequent elections shall be held, at such time and place, annually, as the directors shall determine, of which the same notice shall be given.

Capital. SECTION 3. That the said corporation, by the name aforesaid, shall have authority to hold, and use, a common seal, and the same to change, alter, or amend, at pleasure; and by the name aforesaid, may sue, and be sued, before any court, or justice of the peace, in this commonwealth; and may make all needful rules, regulations and by-laws, for the well ordering of the business and affairs of said corporation, so that the same shall, in no wise, conflict, or be contrary, to the laws, and constitution, of this commonwealth.

Seal. SECTION 4. That the said corporation, by the name aforesaid, may purchase, lease, and hold, coal lands, in the county of Luzerne, not exceeding, at any one time, two thousand acres, with power to mortgage, sell, lease, or otherwise dispose of the same, or any part thereof; and the capital, of said company, may be employed, in purchasing, mining, vending, and transporting to market, anthracite coal, and in the building, purchasing, and leasing of boats, and such other objects as may be considered necessary and expedient, in the prosecution of said business; but nothing, herein contained, shall be construed to authorize said corporation to exercise banking privileges.

By-laws. SECTION 5. That an annual report shall be made, to the auditor general of the commonwealth, in the month of January, of each year, verified by the oath, or affirmation, of the president, secretary, or treasurer of said company, showing the amount of capital stock paid in, and the number, and amount, of dividends declared, and paid, during the current year.

Authorized to purchase and lease coal lands, &c. SECTION 6. That this act shall not take effect, until five thousand shares shall have been subscribed, and paid in, a statement of which, containing the names of the subscribers, and the amount subscribed by each, verified by the oath, or affirmation, of some one of the subscribers, shall be furnished to the governor, to be filed in the office of the secretary of the commonwealth; whereupon, the governor shall issue letters patent to the corporators.

Prohibition. SECTION 7. That subscriptions to the stock may be paid, in part, or in whole, in real estate, and personal property, appropriate to the business contemplated by this act.

Annual report to be made to auditor general. SECTION 8. That the said corporation shall pay to the state treasurer, for the use of the commonwealth, one-half of one

When act to take effect.

Letters patent.

Subscriptions to stock.

Bonus.

per centum upon the amount of the capital stock subscribed, and paid in, payable in four equal annual payments, after the issuing of said letters patent.

SECTION 9. That said corporation shall have the right to borrow any sum, or sums, of money, not exceeding the one-half of their capital, and to issue bonds, or certificates of loan, therefor, with, or without, coupons attached, and give to such bonds, or certificates, such security, by mortgage, or otherwise, as the directors may judge expedient: *Provided*, That no bond, or certificate, shall be issued for a less sum than five hundred dollars, and that the interest, payable on the same, shall not exceed seven per centum per annum.

May borrow money and issue bonds.

Proviso.

SECTION 10. That the stockholders of said corporation shall be jointly, and severally, liable, in their individual capacity, and estates, for the wages of all laborers, and miners, for merchandize, country produce, and for materials furnished.

Individual liability.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 527.

## A Supplement

To an act to incorporate the Lackawanna Iron and Coal Company, approved April fifth, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Lackawanna Iron and Coal Company to increase its capital stock eight hundred thousand dollars, at such times, and in such amounts, as the directors thereof may deem desirable: *Provided*, That said company shall pay, to the treasurer of this commonwealth, a bonus of one-half of one per centum upon such increase, payable in four equal, annual, instalments, from, and after, the time, or times, when the said increase shall be made.

Authorized to increase capital stock.

Bonus upon increase.

SECTION 2. That the said company may purchase, hold, and dispose of, such mineral lands, in the state of New Jersey, and such limestone lands, not exceeding two hundred acres, in the counties of Monroe and Northampton, in the state of Pennsylvania, as the directors thereof may deem desirable,

May purchase mineral lands in New Jersey, and limestone lands in certain counties, in this state.

with the right to mine, quarry, remove and dispose of, said minerals and limestone, therefrom.

Repeal of limitation.

SECTION 3. That so much of the act, to which this is a supplement, as limits the corporate powers of said company to twenty years, be and the same is hereby repealed.

Repeal.

SECTION 4. That so much of the act, to which this is a supplement, as is inconsistent, or altered by this supplement, is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 528.

## Supplement

To an act relative to the Greenwood Cemetery, of New Castle, Lawrence county.

Time for payment of enrolment tax extended.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on the payment, within one year, from the approval of this act, of the proper enrolment tax, the act, entitled "An Act to incorporate the Greenwood Cemetery, of New Castle, and to authorize Cyrus Clarke, guardian of the minor heirs of James D. Clarke, deceased, to sell and convey certain real estate," approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, shall have the same force and effect, as if said enrolment tax had been paid within the time prescribed law.

Acts of company, &c., validated.

SECTION 2. That all the acts of said cemetery company, and of the said Cyrus Clarke, guardian, as aforesaid, in pursuance of the said recited act, are hereby validated, and declared to have the same legal effect, as though said enrolment tax had been properly paid.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 529.

**A Supplement**

To the charter of the Allentown Iron Company.

WHEREAS, The Allentown Iron Company, by an act, approved the twenty-first day of March, Anno Domini one thousand eight hundred and fifty-six, was authorized to increase their capital stock two hundred thousand dollars, with the privilege to further increase the same an additional one hundred thousand dollars :

*And whereas*, By the second section of said act, the said company were required, within one year after the passage of said act, to pay into the state treasury one-half per centum upon such increase of capital :

*And whereas*, The said company have increased their capital the sum of two hundred thousand dollars, and have paid the amount, required to be paid, to the state treasury, and now desire to increase their capital the further sum of one hundred thousand dollars, as specified in said act, and desire to pay the one-half per centum, upon the same, to the state treasury ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if the Allentown Iron Company shall, within one year from the passage of this act, pay into the state treasury a tax of one-half per centum, upon the further increase of capital of one hundred thousand dollars, specified in the act, approved the twenty-first March, Anno Domini one thousand eight hundred and fifty-six, entitled " A supplement to the charter of the Allentown Iron Company," then the same shall be effectual, as though they had paid the same within one year, as directed in said supplement.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 530.

**An Act**

Relating to the Western Pennsylvania Railroad Company, and for other purposes.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the directors of the Pennsylvania Railroad Company to sell, and by deed of said corporation, to convey to the Western Pennsylvania Railroad Company, or to any other railroad company, incorporated by this commonwealth, and having authority to locate a railroad in the counties of Allegheny, Armstrong, or Butler, or either of them, that may be willing to purchase the same, so much of the Western division of the Pennsylvania canal, as remains vested in them, or any portion thereof, together with the right of way, easements, property, real and personal, franchises, rights and privileges, thereto, in any way appertaining, on such terms as may be agreed upon by the board of directors of the respective companies; and all the estate, property, corporate rights, franchises and privileges, so conveyed, shall vest in, and be enjoyed by, the purchaser, as fully, and entirely, as the same are now vested in the said, the Pennsylvania Railroad Company; and for the purpose of enabling the purchaser to pay therefor, and for such other purposes as the board of directors of the company, so purchasing the same, may deem expedient, they may increase their capital stock, by the addition of twenty thousand shares, and may issue bonds, to the amount of not more than one million of dollars, at a rate of interest, not more than seven per centum, payable semi-annually; and may secure the same, by a mortgage upon the whole, or any part, of the premises, real and personal estate, so conveyed, and upon the corporate franchises, rights and privileges, in any way, thereto belonging, and upon the estate, real and personal, and corporate franchises, acquired, or that may hereafter be acquired, and upon the railroad hereinafter mentioned, and all the estate, real and personal, corporate rights and franchises, therewith connected, acquired, or to be acquired: *Provided*, That no bond shall be issued, for a less amount than one hundred dollars.

Pennsylvania Railroad Company authorized to sell Western division of Pennsylvania canal.

All the property, privileges, &c., to vest in purchaser.

Company purchasing authorized to increase capital, and issue bonds secured by mortgage.

Proviso.

Purchasers may abandon canal, or change location of part thereof, &c.

Authorized to construct railroad.

**SECTION 2.** That the purchasers of the said canal, property, and franchises, aforesaid, are hereby authorized, to abandon the whole, or any portion, of the said canal, or to change the location of any part thereof, or to enlarge, or improve, the same, or any part thereof, at such places, or in such manner, as they may deem advisable, for the transportation of freight and passengers; and they are further hereby authorized, to lay a single or double track, of railroad, with all needful appurtenances, on such parts of the canal, as they may see fit, or while maintaining the said canal, or any part thereof, by

any other route, they may deem advisable, from a point, at or near Freeport, to such points in the cities of Allegheny, or Pittsburgh, as they may elect; and the said company shall have the right to take, and acquire, such real estate, build such bridges, and do all other things needful for the construction, use and enjoyment, of the said railroad; and the damages, payable for the taking of any land, or materials, for the construction of any of the railroads, branches and the appurtenances, thereof, authorized by this act, shall be settled, and assessed, as provided by the act, regulating railroad companies, approved February nineteenth, one thousand eight hundred and forty-nine, and the supplements thereto; and the said companies shall have authority to connect their tracks by such routes, as they may deem advisable, with the tracks of the Pittsburgh, Fort Wayne and Chicago Railway Company, and with the tracks of any other railroad, entering Allegheny county, and shall have all needful authority for that purpose.

Route.

Damages, how to be assessed and settled.

Connection with other roads authorized.

SECTION 3. If the said purchase shall be made, by the Western Pennsylvania Railroad Company, then that company shall have the right to alter, change, and re-locate, the route they are now authorized to build, and to construct, and extend, their road, or roads, upon such route, or routes, as they may deem most advisable, to connect their road, or any of its branches, with the Cleveland and Mahoning railroad, with the Atlantic and Great Western railroad, with the Erie and Pittsburgh railroad, and with any other railroad, that is now, or may hereafter be, located in the counties of Butler, Lawrence, Venango, or Mercer, or with all, or either, of them, and shall have authority to construct branches, not exceeding twenty miles in length: *Provided*, That the right to use, and operate, the road, by said Western Pennsylvania railroad, between Freeport and Allegheny city, shall not be enjoyed, until contracts are entered into, with responsible parties, for the completion of a railroad, from Freeport to the town of Butler: *And provided*, That said contract shall be entered into, within one year, and the road to be completed within five years.

If purchased by the Western Pennsylvania Railroad Company, their present route may be changed.

Connections.

Branches. Proviso.

Proviso.

SECTION 4. That all acts, hereby supplied, or inconsistent herewith, are hereby repealed: *Provided*, That nothing, contained in this act, shall be construed, so as to release the Pennsylvania Railroad Company, which became the purchaser, from the state, under the provisions of the act for the sale of the main line of the public works, approved May sixteenth, one thousand eight hundred and fifty-seven, or the corporation purchasing, or leasing, said canal, under the provisions of this act, from any of the duties, or obligations, imposed upon said company, by the provisions of said act, for the sale of the main line.

Repeal.

Construction of this act, relative to.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.  
JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 531.

**An Act**

For the relief of John Roberts, Treasurer of Somerset county.

WHEREAS, Robert P. Cummins was brigade inspector, in one thousand eight hundred and sixty-three, of the second brigade, sixteenth division, Pennsylvania militia, composed of Somerset county, Pennsylvania :

*And whereas*, In August, one thousand eight hundred and sixty-two, he entered the volunteer service of the United States, and was commissioned a colonel of the one hundred and forty-second regiment, Pennsylvania volunteers, and was killed in the battle of Gettysburg :

*And whereas*, John Roberts, as treasurer of Somerset county, paid said R. P. Cummins's salary, of one hundred and fifty dollars, as brigade inspector, for the year, ending October thirty-one, Anno Domini one thousand eight hundred and sixty-two, and in January following, the treasurer's account was audited and settled, but in consequence of said Cummins being in the military service of the United States, failed to make report to the adjutant general, as required by the sixth section of the militia law, of one thousand eight hundred and fifty-eight, and on the twenty-third of February, one thousand eight hundred and sixty-three, the adjutant general notified the treasurer of such failure, and to withhold his salary ; therefore.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the payment of the sum of one hundred and fifty dollars, by John Roberts, treasurer of Somerset county, to Robert P. Cummins, late brigade inspector, of the second brigade, sixteenth division, Pennsylvania militia, as the salary of the said Cummins, as brigade inspector, for the year, ending October the thirty-first, one thousand eight hundred and sixty-two, is hereby legalized and made valid ; and the auditor general is hereby directed, and required, to enter a credit, for the said amount, in favor of the said John Roberts, treasurer of Somerset county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 532.

**An Act**

To open Franklin street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That, within one month after the approval of this act, the court of common pleas shall appoint three commissioners, whose duty shall be to lay out, and open, Franklin street, from Montgomery to Dauphin streets, in the city of Philadelphia, and all damages shall be assessed as is now provided for by existing laws; and within one month after the confirmation of the report of the said commissioners, the chief commissioner of highways shall put the said street in good traveling order.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 533.

**A Supplement**

To an act to incorporate the Big Spring and Beaver Valley Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the managers of the Big Spring and Beaver Valley Turnpike Road Company to charge, and receive, from all teams passing over the said road, laden with iron ore, the sum of two cents per mile for each, and every, ton contained in such load: *Provided,* That such teams may, on their return, pass over the said road free of toll.

Rate of toll for  
wagons laden  
with iron ore.

SECTION 2. That it shall be lawful for the said company to charge, and receive, from all teams passing over the said road, three cents, in lieu of two cents, for five miles, for every horse

Certain rates  
increased.

Not liable for damages in certain cases.

drawing the same, on wheels whose tire is four inches wide, and not seven; and the said company shall not be held liable for any damages sustained by teams, laden with more than four tons burthen, in consequence of the giving away of any culvert, bridge, or embankment, on said road.

Persons using road, for certain distance, liable to pay toll.

SECTION 3. That any person using, or traveling on, said road, for any distance, not exceeding one-fourth of a mile, (except persons going from one part of their farm to another,) shall be liable to pay toll for the same, according to the usual rates, notwithstanding they do not pass through a gate; and if, upon demand, to be made within ten days, they shall refuse to pay the same, it may be recovered, in an action of debt, before a justice of the peace, as debts, of like amount, are now recoverable, by law.

Penalty for a fraudulent return of weight of load.

SECTION 4. That if any carter, teamster, or other person, hauling iron ore over the said road, shall make a false, or fraudulent, return of the weight of his load, or loads, with the intent of defrauding the company of its lawful toll, such person, or persons, shall be liable to a fine of five dollars, for every such offence, to be recovered before any justice of the peace of Lancaster county, as other penalties, and forfeitures, are now recoverable.

Penalties for violations of this act, relative to.

SECTION 5. That, for every violation of this act, the owner, or owners, as well as the driver, or drivers, of any team, cart, wagon, or other vehicle, shall be liable, and may be sued, jointly, or severally, for the penalty, or penalties, imposed by this act; and any penalty, imposed by this act, may be recovered by the said Big Spring and Beaver Valley Turnpike Company, before any alderman, justice of the peace, or court of record, in the county of Lancaster, with costs of suit.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 534.

## A Further Supplement

To the act to incorporate the city of Philadelphia, relative to filling vacancies in Councils.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That in case of a vacancy occurring, hereafter, in either branch of the councils of Philadelphia, the qualified voters of the ward, at the next election, shall elect a person for the unexpired term.

Vacancies in councils, relative to.

SECTION 2. That from and after the passage of this act, it shall be lawful for any member of the select or common councils, of the city of Philadelphia, to tender his resignation, to take effect, at a given time stated; and it shall be the duty of the president of the chamber, wherein such resignation shall be tendered, to direct the clerk to notify the sheriff of the county of Philadelphia, of such resignation, within one week after the same.

Resignations.

Sheriff to be notified of same.

SECTION 3. The sheriff of the city and county of Philadelphia shall give notice, in the usual manner, of all elections, to be held, under the provisions of the foregoing sections, in case such vacancy shall occur twenty days previous to the election.

Notice of elections to be given by sheriff.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 535.

## A Supplement

To an act to modify the existing auction laws of this Commonwealth, and to provide more effectually for the collection of the state tax, or duty, on auction sales, in the city of Philadelphia, and the county of Allegheny, passed the ninth day of April, eighteen hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That for the services to be performed, by any deputy of the attorney general, in accordance with the provisions of the eleventh section of the act, to which this is a supplement, the auditor general is hereby authorized to allow, to the said deputy, such sum as the auditor general, and attorney general, shall deem reasonable, to be paid by the auctioneer, whose books and papers may have been examined.

Compensation of deputy, appointed by the attorney general, to examine books, &c., of auctioneers, relative to.

SECTION 2. That any auctioneer, who, after his commission shall have expired, shall continue to do any of the business, which he may have been authorized, by said commission, to do, shall be liable to all the penalties mentioned in the tenth sec-

Auctioneers doing business, after expiration of commission, liable to certain penalties.

tion of the act, to which this is a supplement, and shall not be capable of holding a commission, as auctioneer, for five years, and in case a commission shall have issued, to such auctioneer, it shall be the duty of the governor, forthwith, to revoke and annul the same.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN

No. 536.

## An Act

To open Lehigh avenue and a part of Fourth street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That, within two months after the approval of this act, the court of common pleas shall appoint three commissioners, whose duty shall be to open Lehigh avenue, according to surveys now on record in the survey department of Philadelphia, between the intersection of Frankford road and Sixth street, in the city of Philadelphia; and, also, Fourth street, from Oxford street, to Montgomery street, in the said city; and all damages shall be assessed as now provided by existing laws; and within one month after the report of the said commissioners, the chief commissioner of highways shall put the said streets in good traveling order.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 537.

*An Act*

To detach Union and Snyder counties from the Northern district of the Supreme Court, and annex the same to the Eastern district.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the counties of Snyder and Union shall become attached to, and form a part of the Eastern district of the supreme court; and the writs of error, and appeal, from the several courts of said counties, shall hereafter be made returnable, on the fourth Tuesday after the first Monday of January, or on such day, or days, as said court may direct: *Provided however,* That all records from said counties, made in pursuance of writs of error, or appeals, that are now pending, which have not been argued, shall be remitted by the clerk of the Northern district, to the Middle district, for hearing, or argument, on the seventh day of June, Anno Domini one thousand eight hundred and sixty-four, or on such day, or days, thereafter, during the May term of said court, as the said court may direct.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 538.

*An Act*

Relative to costs in cases of partition.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the costs, in all cases of partition in the common pleas, or orphans' court, of this commonwealth, with a reasonable allowance to the plaintiffs, or petitioners, for counsel fees, to be

taxed by the courts, or under its direction, shall be paid by all the parties, in proportion to their several interests.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 539.

## An Act

To extend the provisions of the act, approved thirty-first July, one thousand eight hundred and sixty-three, to the counties of Northumberland and Crawford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act to suspend, in the counties of Tioga, Potter, Bedford, M'Kean, Lycoming, and Warren, the penalties imposed by the second section of the act of twenty-second March, Anno Domini one thousand eight hundred and seventeen, and the first and second sections of the act of the twelfth day of April, Anno Domini one thousand eight hundred and twenty-eight," approved the thirty-first day of July, Anno Domini one thousand eight hundred and sixty-three, be and the same are hereby extended to the counties of Northumberland and Crawford.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 540.

*An Act*

Relating to the advertising of sheriff's sales, in Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That section two of the act, entitled "An Act in regard to certain entries, in ledgers, in the city of Pittsburg, and relating to the publishing of sheriff's sales, and for other purposes," approved the twenty-second day of April, one thousand eight hundred and forty-six, shall not be so construed as to relate to the advertising of sheriff's sales, in the county of Montgomery.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 541.

*A Further Supplement*

To an act to incorporate the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That, hereafter, the return judges, of the several wards of the city of Philadelphia, shall meet at the State house, in said city, at ten o'clock, in the morning of the Friday succeeding the day of election; and such part, or parts, of any law, as requires them to meet on Thursday, is hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 542.

**A Supplement**

To an act regulating the inspection of leather in Allegheny county, approved April second, one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the inspector of leather, recently appointed for Allegheny county, shall keep his office in the city of Pittsburg; and, in addition to the weight, and quality, he shall stamp the word "Pittsburg," on each side of leather, by him inspected.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 543.

**An Act**

Relative to the satisfaction of a certain mortgage, in Clearfield county.

WHEREAS, George R. Barrett, and Christopher Kratzer, purchased certain real estate, in said county, from one George Arcularius, and gave to him their mortgage, upon the same, to secure the payment of three payments, of five hundred dollars each, and it being alleged that the said bonds are fully paid :

*And whereas*, Said George Arcularius has died, without satisfying said mortgage, and he having been a resident of New York, and having by his will constituted F. W. Geisenheiner his executor, and he also having died without satisfying said mortgage, and no administration, of the said estate, ever having been had in Pennsylvania, and it being desired to satisfy said mortgage :

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That, upon satisfactory proof being offered to the court of common pleas, of Clearfield county, of the payment of the bonds secured by a mortgage, in favor of George Arcularius, late of the city of New York, against George R. Barrett, and Christopher Kratzer, dated the ninth day of January, one thousand eight hundred and fifty, recorded at Clearfield, in mortgage book A, page fifty-two, et cetera, on the twenty-ninth day of January, Anno Domini one thousand eight hundred and fifty, the said court is hereby authorized, and required, to order satisfaction to be entered, upon said mortgage, by the recorder of Clearfield county; which said entry of satisfaction, so made, shall be as valid, and binding, as if the mortgagee were still living, and had, in person, made the entry: *Provided*, That before making such decree of satisfaction, notice of the application, for the same, under the provisions hereof, shall be given, by publication, in one newspaper, in Clearfield county, during two months.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do hereby certify, that the bill, entitled "An Act relative to the satisfaction of a certain mortgage, in Clearfield county," was presented to the governor, on the fourteenth day of April, Anno Domini one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if it had been signed.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, *April 27, 1864.*

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No. 544.

## An Act

To incorporate the Lumber City Bridge Company.

WHEREAS, David Kirk, Joseph Moore, and other citizens of Clearfield county, Pennsylvania, made subscriptions to, and aided in, the erection of a bridge across the West Branch of the river Susquehanna, at Lumber City, in Clearfield county, and said bridge has been used as a free bridge, by the commu- Preamble.

nity, for several years, and has become dilapidated, and in need of repair :

*And whereas*, It is just, and proper, that the same should be kept up, and that tolls should be taken for that purpose :

*And whereas*, It seems right that they, who aided in its construction, should be authorized to control the same ; therefore,

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That David Kirk, Joseph Moore, Isaac Kirk, John Russell, Jeremiah Moore, James Wiley, Alexander Ferguson, William L. Moore, Joseph G. Russell, Andrew Moore, Thomas Wall, Samuel Kirk, John Patton, executor of James Ferguson, deceased, Thomas Kirk, and C. W. Moore, all of the county of Clearfield, their associates, and successors, be and they are hereby declared a body corporate, and politic, in deed, and in law, by the name, style, and title, of the Lumber City Bridge Company, and by that name, shall have perpetual succession, and shall be able to sue, and be sued, and shall have a common seal, with the right to alter the same at pleasure, and shall have the right to make by-laws for the government of the said corporation, and shall have the right, generally, to do all, and singular, the matters and things, which, to them, shall lawfully appertain to do, for the well being, due ordering, and management, of the affairs of the same.

Title.

Privileges.

Seal.

By-laws

Organization.

*SECTION 2.* The said corporators, hereinbefore named, shall meet at the house of William Reed, in Lumber City, on the first Monday of May, one thousand eight hundred and sixty-four, at two o'clock, post meridian, and shall then, and there, proceed to organize the said company, by the election of such officers as the general laws, regulating bridge companies, provide for ; and the term of office, time and manner of re-election, duties, privileges, and qualifications, shall be and they are hereby made subject to, and controlled by, the aforesaid general law, regulating bridge companies, with its several supplements.

Officers.

Capital stock.

*SECTION 3.* The capital stock, of said company, shall be three thousand dollars, and shall be divided into so many shares as the said corporation, by their by-laws, shall direct, and shall be distributed among the original subscribers, in proportion to, and in accordance with, the amount of their said subscription, as near as practically may be.

Subject to.

*SECTION 4.* The said company shall be subject to all the provisions, and restrictions, of an act regulating bridge companies, approved the twelfth day of April, one thousand eight hundred and fifty-five, with its several supplements, so far as not inconsistent with the provisions of this act ; and all the penalties, rights and immunities, conferred, and imposed, by the same, are also hereby made applicable to the company hereby incorporated, and the bridge hereinbefore named.

**HENRY C. JOHNSON,**

Speaker of the House of Representatives.

**JOHN P. PENNEY,**

Speaker of the Senate.

We do hereby certify, that the bill, entitled "An Act to incorporate the Lumber City Bridge Company," was presented to the governor, on the fourteenth day of April, Anno Domini one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if it had been signed.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 27, 1864.

No. 545.

## An Act

To increase the pay of the Commissioners of Westmoreland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the pay of the county commissioners, of the county of Westmoreland, shall be two dollars and fifty cents per day, while actually employed in the discharge of their official duties. This act to take effect from the first day of January, Anno Domini one thousand eight hundred and sixty-four.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do hereby certify, that the bill, entitled "An Act to increase the pay of the commissioners of Westmoreland county," was presented to the governor, on the fourteenth day of April, Anno Domini one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if it had been signed.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 27, 1864.

No. 546

**An Act**

To increase the compensation of the county commissioners, and auditors, of Wayne county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the county commissioners, and county auditors, of Wayne county, shall hereafter, and from January first, one thousand eight hundred and sixty-four, respectively, receive out of the treasury, of said county, the sum of three dollars, for each day they shall each actually, and necessarily, attend to the duties of their respective offices: *Provided*, The pay, as aforesaid, allowed to each commissioner, shall not exceed one hundred days, and the pay, as aforesaid, allowed to each auditor, shall not exceed eight days, and for all time, as aforesaid, spent by said commissioners over one hundred days, or by said auditors, over eight days, they shall receive, therefor, the compensation now allowed by law, and no greater: *And also provided*, Said commissioners shall on, or before, the first Monday of January, in each, and every, year, make and submit, to the county auditors, a detailed statement of each, and every, day, by them respectively so spent, in the performance of their duties, giving the dates thereof, during the preceding year, with an affidavit thereto, that the same is just, true and correct; and said auditors, so soon as they shall have performed their duties for said year, shall make a like statement, with an affidavit thereto, as aforesaid, and both of same shall be filed, and entered of record, in the commissioners' office, of said county; and any omission, of said commissioners, or auditors, or either, or any of them, to make, and file, said statement, as aforesaid, shall subject each, and every, of them, so omitting, to a penalty of fifty dollars, recoverable as sums of like amount are recoverable, under the laws of this commonwealth, one-half, thereof, to the use of the informer, and the other half for the use of the county of Wayne.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do hereby certify, that the bill, entitled "An Act to increase the compensation of the county commissioners, and auditors, of Wayne county," was presented to the governor, on the fourteenth day of April, Anno Domini one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this



commonwealth, become a law in like manner as if it had been signed.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, *April 27*, 1864.

No. 547.

## An Act

To change the place of holding Elections in the township of Valley, in the county of Armstrong.

WHEREAS, The courts will not convene in time sufficient to change the place of holding the election, in the township of Valley, in the county of Armstrong, in order to give the privilege, of the citizens of that township, to vote on the amendments to the constitution :

*And whereas*, The house heretofore used for this purpose is vacant, and wholly unfit for the purpose ; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That from and after the passage of this act, the general, special, and township elections, in and for the township of Valley, in the county of Armstrong, shall be held at the house now occupied by Anthony Shrecongost, in said township.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 548.

**An Act**

Relating to the site of a proposed railroad depot.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

The taking of certain property by the Pennsylvania Railroad Company for depot purposes, relative to.

That it shall and may be lawful for the Pennsylvania Railroad Company, to exercise any, and all, the privileges, rights, authorities and powers, conferred upon said company, by its charter, or by any act, supplementary to its charter, having relation to the taking of property, for depot and other uses of said road, for the purpose of providing a depot, or depots, for the business of said road, or of other roads, whereof said company is lessee, or in which said company is in any way interested, upon premises, situate on the north side of Market street, and extending to the south side of Filbert street, and upon the west side of Fifteenth street, and thence westwardly, to the eastern line of the property of the Western Market Company, and of the state arsenal, in the city of Philadelphia.

How powers conferred, in reference thereto, may be exercised.

*SECTION 2.* The powers, hereby conferred, may be exercised upon any or all of the separate lots, or pieces of ground, or premises, situate within the limits, or boundaries, mentioned in the preceding section, and fronting upon either of the streets named therein, or fronting upon any street passing within said boundaries; and they shall be exercised in the way and manner, and subject to the limitations, and provisions, regulating the manner of exercising such powers, contained in the charter of said company, and in the supplements thereto: *Provided*, That the viewers, under the above act, be disinterested freeholders, and residents of the city of Philadelphia.

Proviso.

Repeal.

*SECTION 3.* That all acts, or parts of acts, inconsistent with the provisions of this act, be and the same are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 549.

**A Supplement**

To an act, entitled "An Act authorizing the Governor to incorporate the Philadelphia and Trenton Railroad Company."

WHEREAS, The exigencies of public and private business demand the double-tracking of the railroad of the Philadelphia and Trenton Railroad Company: Preamble.

And whereas, An increase of the capital stock of the said company, and other legislative authorizations, are necessary to such end: therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the Philadelphia and Trenton Railroad Company may, from time to time, at their option, and discretion, and in such way and manner, by means of stock dividends, or otherwise, as they may deem most conducive to the interests of the stockholders of the said company, increase the capital of the said company, to the extent of one million of dollars, by issuing shares of capital stock of the said company, not to exceed, in the whole, ten thousand shares, of a par value of one hundred dollars per share. Increase of capital stock authorized.

SECTION 2. That so much of the provisions of an act of assembly of this commonwealth, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and sixty-nine, and of the several supplements thereto, as may facilitate, aid, or in any way, or manner, enable the double-tracking of the railroad of the said Philadelphia and Trenton Railroad Company, are hereby extended to, and made applicable to, the said Philadelphia and Trenton Railroad Company. Certain provisions extended to.

SECTION 3. That all acts, or any part of any act, of the general assembly of this commonwealth, inconsistent with, hindering, or interfering, in any way, or manner, whatever, with any provisions of this act, or with the carrying into effect any provision of this act, be, and the same are hereby, repealed, so far as regards this company. Repeal.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 550.

**An Act**

To correct an error in House bill, number five hundred and ninety-three.

WHEREAS, In transcribing an act, entitled "An act relating to the Central Passenger Railway Company," approved April twelfth, one thousand eight hundred and sixty-four, House bill, number five hundred and ninety-three, the words "April," and "February," where they occur in the second section, were transposed :

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the error, in the second section, of the said act, be corrected, by striking out, on the twelfth line, the word "April," and inserting "February," and striking out, on the fourteenth line, the word "February," and inserting "April."

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 551.

**An Act**

To incorporate the Soldiers' Orphan Home, in Allegheny county.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles Knap, Redmond I. Grace, Joshua Rhodes, James M. Gallagher, Charles W. Ricketson, James P. Barr, George W. Cass, William H. M'Gee, Thomas A. Scott, John D. Scully, William H. Smith, James M'Cabe, George Weyman, John Dean, James M'Candless, and F. R. Brunot, be, and they and their successors are, hereby created a body politic, in law, under the name of the Soldiers' Orphan Home, for the purpose of providing a home, maintenance, and education, for the orphans of

Name.

Purpose.

soldiers, and also, the destitute children of soldiers; and by that name, shall have perpetual succession, and be able, and capable, in law, to have, and use, a common seal, to sue, and be sued, implead, and be impleaded, in all courts of law, and equity, and to do all such other things, as are incident to a corporation: *Provided however,* That the clear, yearly, income, from the real and personal estate, that may be held, by the said corporation, shall not exceed the sum of ten thousand dollars.

SECTION 2. That the said corporators shall have power to fill all vacancies, which may occur among them, by election, by ballot, and to ordain, establish, and put in execution, all such by-laws, rules and regulations, not contrary to the constitution and laws of the United States, and of this commonwealth, which may be deemed necessary for the proper government of the corporation.

SECTION 3. That the said corporators shall, on the first day of May, next ensuing the passage of this act, and on the first Monday of May, in each and every year thereafter, elect the officers of the said corporation, to consist of a president, vice president, secretary and treasurer, to be chosen from among themselves.

SECTION 4. That the property of the said corporation shall be exempt from taxation, except for state purposes.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 552.

## An Act

To appoint Commissioners to run and establish the County Line between Westmoreland and Somerset counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Clark and Clark F. Warden, of the county of Westmoreland, Jacob Fleck, of the county of Somerset, are hereby appointed commissioners, with authority to survey, ascertain, mark, and establish, the dividing line between the counties of Westmoreland and Somerset.

Their duties.

SECTION 2. That it shall be the duty of said commissioners, after having first taken and subscribed an oath or affirmation, before a justice of the peace, to perform the duties enjoined on them by this act with impartiality and fidelity, to go upon the ground, and carefully survey, ascertain, mark, and establish, the dividing line, which separates Westmoreland from Somerset, which said line, so run, marked, and established, shall be the boundary line dividing the counties of Westmoreland and Somerset.

Drafts of boundary line to be certified and filed.

SECTION 3. That it shall be the duty of said commissioners, on or before the first day of September, Anno Domini one thousand eight hundred and sixty-four, to survey and mark said line, by distinct and permanent marks, and to make two drafts of the same, certified under their hands, with courses and distances plainly laid down, with references to the improvement through which said line may pass, one of which they shall deposit in each of the prothonotary offices of the aforesaid counties, as soon thereafter as practicable, which shall be considered as a public record.

Compensation of commissioners, surveyor, &c.

SECTION 4. That the said commissioners shall receive, as a compensation for their services, the sum of three dollars per day each, for and during the time they shall be actually engaged in the discharge of their duties; and the commissioners shall have authority to appoint a surveyor, and other necessary assistants, to carry out the intention of this act, the said surveyor, so employed, to receive for his services the sum of three dollars per day, and the chain-carriers, axe-men, and other assistants employed, one dollar and fifty cents per day each, while actually engaged in the survey; all the aforesaid expenses shall be paid by the said counties, each county paying one-half of said expenses; said payments to be made by warrants drawn on the treasurers by the county commissioners of their respective counties: *Provided*, That the surveyor be selected from the county represented by but one commissioner, and that an equal number of assistants, such as axemen and chain-carriers, be selected by said commissioners from each county.

How expenses to be paid.

Surveyor, and assistants, how to be selected.

Vacancies, mode of filling.

SECTION 5. That in case that any of the above named commissioners shall refuse to serve, or in the event of his sickness, or death, the remaining two shall select a suitable person, a resident of the same county in which the person resided who caused the vacancy, as commissioner, and if two or more vacancies shall occur from the same cause, the court of the county, in which the vacancy occurs, is hereby authorized to appoint commissioners to discharge the duties prescribed in this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 553.

*An Act*

To incorporate the Tioga Telegraph Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Chester Robinson, Henry Sherwood, A. S. Turner, H. W. Williams, John W. Guernsey, J. H. Gulick, and D. S. Magee, and their associates, and such other persons as may hereafter become stockholders in the company, to be called the Tioga Telegraph Company, their associates, and assigns, shall be, and are hereby made, and constituted, a body politic, and corporate, for the purpose of making, using, and maintaining, a telegraph line, from the state line, at, or near, the village of Lawrenceville, to Wellsboro', both in Tioga county, and with power to extend the same to Blossburg, or Fall Brook, in Tioga county, and to Troy, in Bradford county; and by the said name, style, and title, of the Tioga Telegraph Company, shall have all the powers, rights, privileges and immunities, and be subject to all the restrictions and provisions, contained in an act, entitled "An Act to incorporate the Philadelphia and Wilkesbarre Telegraph Company," approved the twenty-ninth day of March, one thousand eight hundred and forty-nine.

SECTION 2. That the persons, named in the first section of this act, or any three of them, shall call a meeting, at any time, of the corporate body, hereby created, giving ten days' notice of the time, and place, of holding the same, in at least one newspaper, published in Tioga county, for the purpose of choosing a president, secretary, treasurer, and five directors, which directors, with the president, shall constitute the board of directors, for the management of the affairs of the company: *Provided*, That the annual, and other, meetings, of the corporation, shall be held at such time and place, as may be prescribed by the by-laws: *And provided further*, That each share of stock shall be entitled to one vote, in all elections: *And provided further*, The enrolment tax, for this act, shall be ten dollars.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 554.

## A Further Supplement

To an act to incorporate the Forest Improvement Company, approved the twelfth day of June, Anno Domini one thousand eight hundred and thirty nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Name changed. That the name of the Forest Improvement Company be, and the same is hereby, changed to the Union Improvement Company.

Authorized to mine coal. SECTION 2. That said company, in addition to the powers and privileges, conferred by the act of June twelfth, one thousand eight hundred and thirty-nine, and the several supplements thereto, shall have the power to mine coal on their lands, in the same manner as if the said company had been incorporated under the provisions of the act, approved April twenty-first, one thousand eight hundred and fifty-four, entitled "An Act to enable joint tenants, tenants in common, and adjoining owners of mineral lands, in this commonwealth, to manage and develop the same," and the several supplements thereto.

Capital stock may be increased. SECTION 3. That it shall be lawful, for said company, to increase its capital stock to such extent as the directors may deem expedient, and to dispose of the same, or make distribution thereof, among the stockholders, upon such terms, and in such manner, as the directors may determine upon: *Provided*, That the number of shares, and increase of capital, hereby authorized, shall be based upon the appreciated value of the land now held by said company, and shall be limited to an extent not exceeding six hundred dollars per acre: *And provided further*, That the company shall pay into the treasury of the commonwealth a bonus of one-half of one per centum, on the increased capital stock, hereby authorized, and hereafter created, in four equal annual instalments.

Proviso. That the number of shares, and increase of capital, hereby authorized, shall be based upon the appreciated value of the land now held by said company, and shall be limited to an extent not exceeding six hundred dollars per acre: *And provided further*, That the company shall pay into the treasury of the commonwealth a bonus of one-half of one per centum, on the increased capital stock, hereby authorized, and hereafter created, in four equal annual instalments.

Bonus on increase of stock. SECTION 4. That it shall be lawful, for said company, to sell, grant, bargain, and convey, any portion of its lands, and to purchase, or acquire, by exchange, other lands, adjacent to lands now owned, or hereafter to be acquired, by said company: *Provided*, That the said company shall not, at any time, own a greater number of acres than it is now authorized to hold, by its charter.

May sell portion of lands, &c.

Limitation.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 555.

**A Supplement**

To an act to incorporate the Keystone Gold and Silver Mining Company,  
approved July eighteenth, one thousand eight hundred and sixty-  
three.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*  
That the names of George Taber, Strickland Kneass, L. L. Hout, R. D. Barclay, J. V. Elwell, O. W. Barnes, Joseph Lesley, and Edward Miller, all of the state of Pennsylvania, be and they are hereby added to those named as corporators, in the act to which this is a supplement.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The twenty-ninth day of April, Anno Domini  
one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 556.

**An Act**

To incorporate the Burnside Coal and Iron Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*  
That Andrew M. Eastwick, Thomas S. Ellis, Thomas Sparks, Corporators.  
Henry D. Flickwer, George W. Montgomery, Charles J. Eastwick, and D. Montgomery Boyd, their associates, and successors, be and they are hereby created a body politic and corporate, by the name, style, and title, of the Burnside Coal and Iron Company, by which name, said corporators, and their successors, shall have perpetual succession, and enjoy all the privileges and franchises, incident to a corporation. Title.

**SECTION 2.** That the capital stock of said company shall be two hundred thousand dollars, divided into shares of one hundred dollars each, with the privilege to increase the same, Capital stock.

Transfers.	from time to time, to an amount not exceeding five hundred thousand dollars; said increase, and all transfers of stock, to be made at such times, and in such manner, as the by-laws of said company may direct.
Subscriptions, how to be paid.	SECTION 3. That subscriptions, to the capital stock of the said company, may be paid in real or personal estate, appropriate to the business contemplated by this act, at a <i>bona fide</i> cash valuation, to be agreed upon by a majority, in interest, of the stockholders; and the corporators shall have power to create capital stock, to the amount provided for in this act, and issue
Certificates.	certificates for the same, as soon as authorized by any meeting, called for the purpose of organizing said company; and
May issue bonds.	the said corporation may issue bonds, secured by mortgage, or otherwise, and sell the same at their market value, notwithstanding it may be less than par; but no bonds shall be issued for a less amount than one hundred dollars.
Powers and privileges.	SECTION 4. That the said corporation shall be able, and capable, in law, to take, receive, and hold, in fee simple, or for any less estate, lands, and mineral rights, with their appurtenances, in Northumberland county, not exceeding, in the whole, two thousand acres, at any one time, with power to mortgage, sell, lease, or otherwise dispose of, the same, or any part thereof; and the said company shall have the right to prove and open mines, to mine and prepare for market, coal, iron ore, limestone, fire clay, and other minerals, or to use, and consume, the same, and to manufacture iron, and to transport said articles, or any of them, to market, and to dispose of the same, and to make mine roads, and also lateral railroads, not exceeding ten miles in length, to connect with other railroads: <i>Provided</i> , That in the construction of the same, the said company
Subject to.	shall have all the powers and privileges, and be subject to all the limitations and restrictions, of an act regulating railroad companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine, and the supplements thereto; and the said corporation shall have authority to do all such other acts and things, as may be necessary, in the prosecution of said business, and to make all such improvements, and erections, as a successful prosecution of said business may require.
Management.	SECTION 5. That the affairs of the company shall be managed, and conducted, by a president and a board of directors, to consist of not less than three nor more than seven, as may be determined, from time to time, by the stockholders, at any annual meeting; they shall be elected by ballot, within one
Election of officers.	year from the passage of this act, and annually thereafter, at such times, and places, as the by-laws may prescribe; and if, for any cause, the election of president and directors shall not take place at the time fixed, it shall be lawful to elect the same at any other time, after two weeks' public notice; and in the meantime, and until their successors shall be duly qualified, the acting president and directors shall exercise their powers; and in all elections by the stockholders, each share of stock shall entitle the holder to one vote, in person or by proxy.
Votes.	SECTION 6. That the said company shall have authority to enact and establish by-laws, prescribing the number and du-
By-laws.	

ties of its officers, the manner of filling vacancies in the board of directors, the amount and times of declaring dividends, and other needful rules and regulations, not inconsistent with the constitution and laws of this state, nor of the United States; that the corporation shall have authority to hold and use a common seal, and the same to change, alter, and amend at Seal.  
 pleasure, and by the style and title aforesaid, shall be capable, in law, to sue and be sued, before any court in this commonwealth.

SECTION 7. That said company shall pay into the treasury Bonus.  
 of the commonwealth a bonus of one-half of one per centum, on the capital stock hereby authorized, or hereafter created, in four equal annual instalments, and such other tax as is now, Tax.  
 or may hereafter be, imposed by law on corporations; and the stockholders of said company shall be individually liable for Individual lia-  
 all debts due mechanics, workmen, and laborers employed by bility.  
 said company, and for country produce, to be sued for, and collected, as is provided in the twelfth, thirteenth, and fourteenth sections of the act incorporating the Lackawanna Iron and Coal Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three: *Provided*,  
 That no stockholder shall be held individually liable for any Proviso.  
 such debts, unless the same shall be sued for, within one year after they shall become due: *And provided further*, That ex- Exceptions.  
 ecutors, administrators, guardians, and all other trustees, who may hold stock in their representative capacity, shall be entitled to represent the same, without being subject to any personal liability therefor, or on account thereof, and that persons holding stock, pledged by the owners thereof as collateral security, shall not be held personally subject to any liability as stockholders, and shall not be entitled to represent said stock at the meetings of stockholders, but that the owners thereof shall be entitled to such representation, as fully as though no such pledge had been given: *And provided further*, That the Reservation.  
 legislature hereby reserves the right to amend, alter, or repeal this act, at any time; in such manner, however, as shall do no injustice to the stockholders.

HENRY C. JOHNSON,  
 Speaker of the House of Representatives.

JOHN P. PENNEY,  
 Speaker of the Senate.

APPROVED—The twenty-ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 557.

## Supplement

To an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the eighteenth day of July, one thousand eight hundred and sixty-three.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for any company, organized under the act to which this is a supplement, to increase its capital stock, in the manner provided by said act, to an amount not to exceed one million of dollars: *Provided,* There shall have been actually paid in, on the whole amount of capital stock of said company, a sum not less than ten per cent.

Capital stock  
may be increased.

Proviso.

Auditor general  
to certify certificate to the governor.

Letters patent  
to be issued.

**SECTION 2.** That upon the filing, with the auditor general, the proper certificate provided in the thirty-first section of the act to which this is a supplement, he shall certify the same to the governor, which, together with the certificate of the recorder of deeds of the proper county, that the requisite certificate of the formation of said company has been filed in his office, the governor shall issue his letters patent, to said corporation, in due form of law.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 558.

## An Act

To annul the marriage contract between Titus Fey Cronise and Estellina Cronise.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the marriage contract, entered into between Titus Fey

Cronise and Estellina Cronise, be and the same is hereby annulled, and made void, and the parties released, and discharged, from said contract, and from all duties and obligations, arising therefrom, as fully, and absolutely, as if they had never been joined in marriage.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 559.

## A Supplement

To an act to incorporate the Tioga Improvement Company, approved the seventh day of April, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the stockholders of the Tioga Improvement Company, incorporated in pursuance of the provisions of the act, to which this is a supplement, shall have a perpetual succession, and their charter is hereby extended, accordingly, for the purposes named in the said act; and any agreement made, and hereafter to be made, by said company, with any person, or body politic, for the mining of coal, leasing, or sale, of land, shall be and the same is hereby declared to be valid: *Provided,* That nothing, herein contained, shall operate to release the said company from payment of any taxes: *And provided also,* That the legislature may, at any time, repeal this charter, when prejudicial to the public interests; in such manner, that no injustice shall be done to the stockholders: *And provided further,* That this law shall be of no force, and effect, until accepted, and approved, by the holders of a majority of the stock of said company, in general meeting, assembled for such purpose, within ninety days after the passage of this act, of which acceptance, notice shall be filed in the office of the secretary of the commonwealth.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 560.

## A Supplement

To an act approved April ninth, one thousand eight hundred and fifty-eight, entitled "An Act to incorporate the Philadelphia and Gray's Ferry Passenger Railway Company."

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

Certain extensions and connections of road authorized.

That the Philadelphia and Gray's Ferry Passenger Railway Company shall have the right to lay a single, or double, track to, and from, their proposed new depot, when completed, to intersect with their tracks on Pine, Spruce and Twenty-third streets: and shall also have the right of extending their track, either on Twenty-first or Twenty-second streets, (as the board of directors may direct,) southwardly to Christian street; thence westwardly to the intersection of their track, on Gray's Ferry road, and also the right to form a connection with the Philadelphia and Darby Railroad Company, near Gray's Ferry bridge, by extending their track over the Gray's Ferry bridge, to a point, along said Philadelphia and Darby railroad, at, or near, the Gray's Ferry depot, upon such terms and conditions, as the city councils, or such parties as may own, and control, the said bridge, may agree upon.

Time of holding annual meetings changed.

**SECTION 2.** That, hereafter, the annual meetings of the stockholders, and election of officers of the company, shall be held on the third Tuesday of January, in each year, instead of the second Monday, as heretofore; and that on, and after, that time, the board of directors shall consist of six, instead of eleven, members, three of whom, in connection with the president, shall constitute a quorum; or, in the absence of the president, four directors shall constitute a quorum to transact business.

Directors, number of.

Quorum.

May sell real estate.

**SECTION 3.** The said company shall have the right, at any time, to sell any real estate they may have, or acquire, over, and above, what may be necessary for the construction of their depot and stables. The charter of the company shall be, and is hereby made, perpetual.

Charter made perpetual.

Number of shares may be reduced.

**SECTION 4.** It shall be lawful for the president, and directors, of the company, to reduce the number of shares, actually issued, by substituting full paid shares, in proportion to the instalments actually paid in, so that the certificate for each share of stock, hereafter issued, shall represent twenty-five dollars of the capital paid in: *Provided*, That the right to issue the whole, or any part of the whole, number of shares authorized to be issued by the charter, shall not be thereby impaired: *And provided also*, That the tax on dividends, to be paid to the city of Philadelphia, shall not thereby be increased; and it is hereby declared to be the true intent, and meaning, of the act of incorporation in reference thereto, and the same shall

Proviso.

Proviso.

be so construed as to apply to the authorized capital of the company.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

We do certify, that the bill, No. 1043, entitled "A supplement to an act approved April ninth, one thousand eight hundred and fifty-eight, entitled 'An Act to incorporate the Philadelphia and Gray's Ferry Passenger Railway Company,'" was presented to the governor, on the sixteenth day of April, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, April 29, 1864.

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No. 561.

## An Act

Relative to the pay of the county commissioners, and jurors, of Susquehanna and Wyoming counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the per diem pay of the county commissioners, of Wyoming county, shall hereafter be two dollars, and that the per diem pay of jurors, in said county, and Susquehanna county, shall hereafter be one dollar and fifty cents, with mileage, as heretofore allowed by law.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

We do certify, that the bill, No. 301, entitled "An Act relative to the pay of the county commissioners, and jurors, of Susquehanna and Wyoming counties," was presented to the governor, on the fifteenth day of April, one thousand eight hun-

dred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, *April 29, 1864.*

No. 562.

## An Act

To incorporate the Westmoreland Coal Company.

Preamble.	WHEREAS, The Westmoreland Coal Company, a corporation organized under the act to encourage manufacturing operations in this commonwealth, and its supplements, has applied for a special act of incorporation; therefore,
Corporators.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Edward C. Biddle, James Magee, John Covode, Samuel Welsh, Samuel C. Morton, P. Pemberton Morris, Stephen H. Brooke, Edward Lowber, M. D., J. Pemberton Hutchinson, William S. Perot, and James A. M'Rea, M. D., and their associates, successors, and assigns, be, and they are hereby, created a body politic and corporate, by the name, style, and title of the Westmoreland Coal Company, and that, as such, they
Name.	may have a common seal, with power to break, alter, and renew the same at pleasure, and be able to sue, and be sued, to plead, and be impleaded, and enjoy all the rights, privileges,
Seal.	and franchises incident to a corporation, and have power to take, and to hold, and to convey land, in fee simple, in West-
Powers and privileges.	moreland and Allegheny counties, or either of them, to an amount not exceeding three thousand acres, and also to acquire rights to mine coal, and take on lease such lands, or coal, as they may deem necessary; and to mine, manufacture, prepare for market, sell, and dispose of the coal and other products of their mines, or lands, and to convey the said minerals, or other products, to market, and generally to have, and enjoy, all the rights, privileges and powers, conferred on incorporated companies, for the mining, or manufacturing, or conveying to market, and sale of coal, or other products of their lands, by any act, or acts, of assembly heretofore passed, and to construct such lateral or branch railroads, not exceeding ten miles in length, as may be necessary to connect any of their lands, or works, with the Pennsylvania railroad, or with any other railroad within this commonwealth.
Authorized to construct lateral railroads.	



SECTION 2. That the capital stock of the said company shall not exceed twenty thousand shares, of fifty dollars each; and the said company shall have the right, and power, to borrow money, at a rate not over seven per centum per annum, to promote and carry out the objects of this corporation, and to give a mortgage, or mortgages, or other security, for the payment thereof: *Provided*, That the amount of such loans shall not, at any time, exceed the amount of the capital stock of the said company actually paid in.

Capital stock.  
May borrow money.  
Proviso.

SECTION 3. That the stockholders shall, annually, elect a board of directors, to consist of not less than seven, nor more than eleven, stockholders, for the management of the affairs of the company, to serve for one year, and until others are elected; and of the time and place of such election public notice shall be given, in such manner as may be prescribed by the by-laws of said company; and the company shall not be dissolved by reason of a failure to elect such directors, at the proper time and place; the election shall be conducted by ballot, and such of the stockholders as shall attend for that purpose, in person or by proxy, shall be entitled to one vote for each share of stock held by him, or them; and the directors shall elect one of their number president of the board, and appoint such other officers as the business and interests of the company may require, and fix their compensation.

Election of directors.  
Notice.  
Votes.  
Officers.

SECTION 4. That said board of directors shall have power to make, and establish, such by-laws as they may deem necessary for managing and conducting the business and interests of the said company, with the right, at any time, to repeal, alter, and amend the same: *Provided*, That the same shall not conflict with the constitution and laws of this commonwealth, or of the United States.

By-laws.  
Proviso.

SECTION 5. That the said company shall pay to the state, for the privileges above granted, a bonus of one-half of one per centum on all increase of its capital stock over that of the present corporation; the bonus upon its present capital having already been paid; such bonus to be paid in four equal annual instalments, the first payment to be made in one year from the date of any increase of the capital stock, and the said company shall also pay such tax on dividends as is, or may hereafter be, provided for by law.

Bonus on increase of capital stock.  
Tax on dividends.

SECTION 6. That the stockholders of said company shall be severally liable, in their individual capacities, to the amount of stock each one may hold, for all the debts contracted by the company for work and labor done, and materials furnished, in the transaction of the business.

Individual liability.

SECTION 7. That this act shall take effect upon its acceptance by a majority, in interest, of the stockholders of the present Westmoreland Coal Company.

When act to take effect.

HENRY C JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 563.

## A Supplement

To an act to incorporate the Winslow Colliery, approved the tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Increase of capital stock, &c., authorized.

That the said Winslow Colliery may, by a vote of three-fourths of its stockholders, at a meeting duly called for the purpose, increase their capital stock, from time to time, to such an amount as may be deemed necessary by them, and may issue two kinds of stock, general and special; the special stock shall not exceed half the general stock, and shall be subject to redemption, at par, after a fixed period of time, to be stated in the certificate; the holders of such special stock shall be entitled to receive, and the corporation shall be bound to pay, such half yearly dividends, as shall be specified in the certificate, and such special stockholders shall, in no event, be liable for the debts of the corporation, beyond their stock.

Construction of railroad, relative to.

Authorized to make certain extension and connection.

SECTION 2. The railroad, authorized by the act to which this is a supplement, shall be constructed under the act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and they are hereby authorized to extend the same westward to connect with the Western Central, or any other railroad, now constructed, or which may hereafter be constructed, in the counties of Clearfield or Jefferson, and eastward, to connect with the Philadelphia and Erie railroad, at such point as may be selected by the said Colliery; and for these purposes, may execute, from time to time, mortgages, and bonds, not to exceed twenty-five thousand dollars per mile, which bonds may bear such rate of interest as the said corporation shall indicate, and be sold at such price as can be obtained; and section nine, of the original act, is hereby repealed.

Repeal.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 564.

**An Act**

To facilitate the winding up of the affairs of savings fund, building, and loan associations, incorporated by the court of common pleas, for the city and county of Philadelphia.

WHEREAS, Under the powers, conferred by act of assembly upon the court of common pleas, for the city and county of Philadelphia, many savings fund, building, and loan associations, have been incorporated, for a limited term of years, which, in some cases, has now expired, and in others, is rapidly approaching completion :

*And whereas*, Some of these associations have been compelled to purchase real estate, upon which they have had claims, and others may hereafter be likewise compelled to purchase real estate, to save themselves from loss :

*And whereas*, In some instances, the term, for which the decree of incorporation has been granted, has expired, while the title to such real estate has remained in such associations, and it has been doubted whether a good title could be made, or given, to such real estate, after the expiration of the term, for which such incorporation has been granted ; to quiet such doubts, and to give full effect to the purposes, and intents, of such charters, and powers, granted, therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That in all cases, where any savings fund, building, or loan association, incorporated as aforesaid, may have become seized or possessed of any real estate, or entitled to the same, and the term, for which the charter may have been granted, shall have expired, without their having made conveyance thereof, or of any part thereof, it shall and may be lawful, for such association, to sell, and dispose of, such real estate, and make title therefor, as fully, and as effectually, as if their charter had not expired ; and the officers, last elected, shall continue in office, until all the affairs of such association shall have been settled ; and in case of the death, resignation, or refusal, of any officer, to act, such association shall have power, and authority, to elect another to such office, thereby vacated.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 565.

**An Act**

To incorporate the Dauphin and Colorado Gold Mining Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

**Corporators.****Title.****Powers and  
privileges.**

That R. P. King, Herman Osler, Jr., William H. Kemble, John Daily, John W. Hall, and J. A. Smull, and their associates, be and they are hereby created a body politic, by the name, style, and title, of the Dauphin and Colorado Gold Mining Company, and by such name, and title, shall have perpetual succession, and shall be capable of suing, and being sued, impleading, and being impleaded, and of granting, and of receiving, in its corporate name, property, real, personal, and mixed, and of holding, and of improving, lands, in any territory of the United States, and to obtain therefrom any, and all, minerals, and other valuable substances, whether by working, or mining, or leasing, or disposing of privileges to work, or mine, such land, or any part thereof; and to erect houses, and such other buildings, and works, as may, in the opinion of the managers of the corporation, appertain to said business; and to use, let, lease, or work, the same; and to dispose of the products of all such lands, mines, and works, as they may deem proper.

**By-laws.****Proviso.****Seal.****Certificates of  
stock.**

**SECTION 2.** That the said company shall have power to make such by-laws as they may deem proper, to enable them to carry out the objects of the corporation, and the same to alter, amend, add to, or repeal, at their pleasure: *Provided,* That such by-laws shall not be contrary to the constitution of this commonwealth, or the provisions of this act; and to adopt a common seal, and the same to alter at pleasure; and to issue certificates of stock, representing the value of their property, in such form, and subject to such regulations as they may, from time to time, by their by-laws, prescribe, and to regulate, and prescribe, in what manner and form, their contracts, and obligations, shall be executed.

**Election of di-  
rectors.**

**SECTION 3.** That the corporators, named in this act, shall elect persons to serve as directors of the company, a majority of whom shall constitute a quorum, for the transaction of business, and shall hold their offices until their successors shall have been elected, in accordance with the by-laws.

**Offices.**

**SECTION 4.** That it shall be lawful, for said company, to establish the necessary offices, for the business of the company, wherever their business is located, and to have their principal, in the United States, in such place as they may deem expe-

dient; at which place, it shall be lawful to hold all meetings for the transaction of the business of the company.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 566.

## An Act

To confirm certain Land Titles in Jefferson county.

WHEREAS, Henry Billington, trustee for the heirs of Thomas Billington, the elder, of Philadelphia, deceased, by agreements, under seal, heretofore made, and by deed, sold and conveyed, severally, to Joseph Warey, John M. Saxton, Adam Beck, B. F. Lucas, and others, their respective heirs and assigns, certain lots of ground, or sub-divisions, made and designated by the then county surveyor as parts of a tract of land patented to the said Thomas Billington, number five thousand eight hundred and fifteen, in Washington township, Jefferson county, Pennsylvania:

*And whereas*, It has been officially and judicially ascertained that the county surveyor had mistaken and over-run the ancient boundaries, and in his said survey, or sub-division, of the tract number five thousand eight hundred and fifteen, had cut off, or included, a large portion, to wit: about two hundred and ninety-nine acres of the tract number three thousand nine hundred and thirty-four, adjoining on the north, belonging to Archibald Robertson, of Philadelphia, now deceased, and the same was erroneously, but in good faith, sold, or intended so to be, (and excepting the purchase of Adam Beck, and also excepting a strip, or "gore," of about nineteen acres, emitted,) was fully paid for, and conveyed, by the said Henry Billington, trustee, to the said Warey, Saxton and Lucas, and their respective heirs and assigns:

*And whereas*, The widow, the administrator, and others, heirs and representatives of the said Archibald Robertson, deceased, besides others interested, have memorialized this legislature, praying that upon payment to them of the said purchase money, whether so received by the said Henry Billington, trustee, or yet to be paid by Adam Beck, or by others, the title and possession of the purchasers should be severally completed and confirmed unto them; now, therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That upon payment to the administrator to the estate of the said Archibald Robertson, deceased, by the said Henry Billington, or others, of the several amounts, or proportions, of the sums received by him, or yet to be paid by any of the said purchasers, or by others, for their several portions of the said interference of two hundred and ninety-nine acres, or thereabouts, being parts of tract number three thousand nine hundred and thirty-four, together with interest thereupon, the whole being estimated and agreed upon at one thousand dollars, E. A. Brigham, or his successors, administrators to the estate of the said Archibald Robertson, deceased, shall be, and are hereby, authorized to release, and convey, by deed, in fee simple, respectively, unto the said Joseph Warey, John M. Saxton, Benjamin F. Lucas, and Adam Beck, or any other purchaser, their several heirs and assigns, all the right, title, and estate, which was of Archibald Robertson, deceased, and which now exists in his said heirs, and legal representatives, in and to the said land; and the deeds or assurances in the law, to be executed in pursuance hereof by the administrator to the estate of the said Archibald Robertson, shall have the same legal effect as a sale and conveyance regularly made and confirmed by order of the orphans' court of the proper county, of all and every part of the said two hundred and ninety-nine acres of land, unto the several purchasers thereof, their respective heirs and assigns, forever.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 567.

## An Act

To incorporate the Gettysburg Battle-Field Memorial Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That Joseph R. Ingersoll, T. D. Carson, D. M'Conaughy, Wm. M'Sherry, D. A. Buehler, R. G. M'Creary, J. B. Danner, Geo.

Corporators.

Arnold, J. L. Shick, James H. Marshall, Henry C. Carey, J. G. Fell, Alexander Henry, Edmund A. Souder, Theodore Cuyler, Wm. Strong, S. A. Mercer, H. C. Baird, Thomas M. Howe, N. B. Craig, John P. Penney, Wm. H. Robinson, Jr., James L. Graham, Harvey Childs, George G. Meade, Thomas J. Bigham, A. O. Hiester, James Worrall, James L. Reynolds, S. W. Crawford, Winfield S. Hancock, John L. Atlee, William Kinsey, Samuel Small, F. M. Kimmell, P. Frazer Smith, J. M'D. Sharpe, H. C. Johnson, John Cessna, B. B. Vincent, John Scott, Wm. A. Wallace, George W. Householder, John S. M'Calmont, Daniel Agnew, Wm. Hopkins, John P. Crozier, Wm. H. Miller, A. K. M'Clure, John D. Cochran, J. N. M'Allister, C. L. Pershing, R. A. M'Murtrie, their associates, who have subscribed, and all others, who shall hereafter subscribe, to the fund, devoted to the preservation of the battle-field of Gettysburg, and their successors, be and they are hereby made a body politic, and corporate, by the name, style, and title, of the Gettysburg Battle-Field Memorial Association, and by that name, shall be able, and capable, in law, to have, and use, a common seal, to sue, and be sued, plead, and be impleaded, and do all such other things, as are incident to a corporation.

Title.

Seal.

Privileges.

SECTION 2. That the object of said association shall be, to hold, and preserve, the battle-grounds of Gettysburg, on which, were fought the actions of the first, second, and third days of July, Anno Domini one thousand eight hundred and sixty-three, with the natural and artificial defences, as they were at the time of said battle, and by such perpetuation, and such memorial structures, as a generous and patriotic people may aid to erect, to commemorate the heroic deeds, the struggles, and the triumphs of their brave defenders.

Object.

SECTION 3. That for its said purpose, the said association shall have power to take, and hold, by gift, grant, devise, purchase, or lease, such personal property, and effects, and all such portions of said battle-grounds, as may be necessary, or convenient, to promote and accomplish the object of its incorporation, to enclose, and perpetuate, said grounds, and defences, to keep them in repair, and a state of preservation, to construct, and maintain, ways and roads, to improve, and ornament, the grounds, and to erect, and promote the erection, by voluntary contributions of structures, and works of art and taste thereon, adapted to designate the spots of special interest, to commemorate the great deeds of valor, endurance, and noble self-sacrifice, and to perpetuate the memory of the heroes, and the signal events, which render these battle-grounds illustrious; and to these ends, to make such by-laws, rules, and regulations, as may be necessary, and proper, for the government of the affairs, and promotion of the purposes of the said association; the property of the said association shall not be subject to attachment, or execution, and the lands acquired for the purposes of said association, with its personal property, and the improvements and appurtenances, shall be forever exempt from taxation, and also from the payment of an enrolment tax.

Corporate powers.

By-laws.

Property not subject to attachment, or execution.

Exempt from taxation.

**Management.** SECTION 4. That the property, and affairs, of the said association, shall be managed by a president, and a board of thirteen directors, with a secretary, treasurer, and other necessary officers, by them to be selected; to be chosen, annually, from the subscribers, by a majority of the votes given, each subscriber to be entitled to a single vote; the said officers to serve for one year, or until successors are elected; the election to be held, annually, on the first Monday of June, at Gettysburg; public notice thereof to be given, by publication, in one newspaper in Gettysburg, Philadelphia, Harrisburg and Pittsburg, at least two weeks previous to such election.

**Election of officers.** SECTION 5. That said association shall have power to issue certificates of membership, to all persons who shall subscribe one, or more, shares to the said Battle-Field Memorial Fund; the amount of a single share to be fixed by the board of directors, and not to exceed ten dollars; and all subscribers, upon payment, and receipt of such certificates, shall be entitled to vote at all elections of said association.

**Notice.** SECTION 6. That the president, directors, and treasurer, shall make annual reports, on the day of the annual election, to be presented to the members, and read and published, which shall be duly certified, and shall exhibit fully, and accurately, the receipts, expenses, and expenditures, of the said association.

**Certificates of membership to be issued to subscribers.** SECTION 7. That Joseph R. Ingersoll, and the other corporators, named in the first section of this act, or a majority of them, are hereby authorized to appoint, from their number, provisional officers, with power to transact the business of said association, from the passage of this act, until officers shall be elected, as provided in the fourth section of this act.

**Officers to make annual reports.** HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 568.

## An Act

To amend the Charter of the city of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*



That from and after the passage of this act, it shall be lawful for the president of either branch of the councils of the city of Erie, in the absence of the mayor from said city, to call extra meetings of said councils, upon the written request of a majority of either branch of said councils.

President of councils may call extra meetings.

SECTION 2. It shall be lawful for the councils of said city to impose the penalty of imprisonment in the county jail, or put at public labor, not exceeding sixty days, for any violation of the ordinances of said city, in addition to the penalties now authorized by law.

Councils may impose the penalty of imprisonment, or put at labor.

SECTION 3. The councils of said city shall have power to inflict such penalties as they shall deem proper, on all vagrants and disorderly persons in said city, not inconsistent with this act.

Authorized to inflict penalties on vagrants, &c.

SECTION 4. The councils of said city shall have power to declare, by ordinance, what, and how many, of the streets and squares of said city shall be lighted with gas, and regulate the time, mode and manner of lighting the same, in every respect, the cost and expense of which, and of erecting and keeping in repair the necessary posts and lamps therefor, shall be paid and borne out of the general funds of said city: *Provided*, That such ordinance shall be passed by the affirmative votes of a majority of all the members of each council: *Provided further*, That said cost and expense of light, lighting, erecting, and keeping in repair, may be paid by special assessment, as heretofore by law provided, if said councils shall so determine.

Lighting streets and squares with gas, relative to.

Proviso.

Proviso.

SECTION 5. The councils of said city shall have power to license such, and so many, persons to use hacks, cabs, omnibuses, carriages, carts, drays, and wagons, as public conveyances, as said councils shall deem necessary and proper, and at such rates per annum as said councils shall prescribe, and shall have power to prevent any person, or persons, from keeping, or using, either, or any, of the vehicles above named, without having first taken out license, as aforesaid, under such penalties as said councils may ordain; and shall have power to fix and regulate, from time to time, as often as they shall think necessary, the prices to be charged by any person or persons, licensed as aforesaid, for carrying any passenger, baggage, or load in said city, and shall have power to require such security, for good conduct and obedience to the ordinances of said city, in respect to such business, from the persons so licensed, as they shall deem right and proper.

Mode of granting licenses for the use of hacks, carriages, &c., as public conveyances.

Prices to be regulated.

SECTION 6. The councils of said city shall have power to purchase as many steam fire engines, and necessary hose, therefor, as they shall deem necessary, and shall have power to issue bonds in payment therefor, payable not more than ten years thereafter, with or without coupons, with interest, not exceeding seven per cent., and shall have the power to appropriate as much of the tax, authorized by first section of the act of April second, one thousand eight hundred and sixty, to the payment of the interest thereon, or to the payment of the purchase money of said engines, as they may deem expedient: *Provided*, That no part of said tax, necessary to pay the interest on the bonds issued to the Sunbury and Erie Railroad Company, shall be thus appropriated.

Councils authorized to purchase steam engines, &c.

To issue bonds in payment therefor.

Proviso.

To purchase real estate for engine and market houses, &c.

May borrow money, and levy tax therefor.

Limitation.

Tax to be collected from owners of dogs, geese, &c.

Mayor and members of councils not to be interested in contracts.

Exception.

Penalty for violation of this provision.

Powers of police constables.

Jurisdiction of mayor and magistrates.

SECTION 7. Said councils shall have power to purchase as much real estate as they shall deem necessary for engine houses, market houses, town hall, and for the erection of the necessary buildings thereon, and to borrow money for such purchase, and erections, on the bonds of the city, payable not over twenty years from date, with or without coupons, with interest, not exceeding seven per cent, interest to be payable, and bonds redeemable, at the treasurer's office, in the city of Erie; and shall have power to levy such tax, on all property in said city, taxable for state and county purposes, as they shall deem necessary, for the payment of the interest on said bonds, and for their redemption at maturity: *Provided*, The amount of such real estate, so purchased, shall not exceed thirty thousand dollars.

SECTION 8. Said councils shall have power to levy and collect such tax, as they shall deem expedient and proper, from the owners of all dogs, goats, hogs, and geese, kept or running at large in said city, and shall collect the same in the same manner that other taxes are collected in said city.

SECTION 9. No member of either branch of the city councils, or the mayor, shall be engaged in, or have any interest, direct or indirect, in any contract to which said city is a party, or to be permitted to do any work for said city, exceeding in amount the sum of fifty dollars, unless said councils have asked for proposals for said work, by advertisement, in not less than two papers published in said city, three times prior to the allotment of said work, and the mayor, or some member of council, shall be the lowest bidder for said work, the account for which has to be passed and approved by said councils; and the mayor, or any member of the councils, who shall violate the provisions of this section, shall, *ipso facto*, forfeit his office for the term for which he was elected; and upon due proof of such violation, made to that branch of the councils to which said member shall belong, in the case of a member of councils, or to the councils, in the case of the mayor, the council to which the member shall belong, in the case of a member of council, and the councils, in the case of the mayor, shall forthwith declare the office to which the person, so offending, was elected, vacant, and proceed to fill the same, according to law; and the person, so offending, shall also pay a fine of one hundred dollars, to said city, to be recovered, and collected, as debts, of like amount, are by law recoverable.

SECTION 10. The police-constables, of said city, shall have power to arrest, with, or without, warrant, any person, guilty of any crime, or misdemeanor, or of any breach of any city law, ordinance, or regulation, to which a penalty is attached, and take such person forthwith before the mayor, or any magistrate, to be dealt with as required by law, and the ordinances and regulations of said city.

SECTION 11. The mayor, or any magistrate, of said city, shall have power, when any person, or persons, is or are brought before him, charged with any offence, as aforesaid, to proceed forthwith to hear, and determine, said charge, according to law, unless, in the case of a person charged with the violation of a city ordinance, he, or she, shall claim an ad-

jourment, for the purpose of procuring witnesses, and shall enter into recognizance, with one or more sufficient sureties, conditioned for his, her, or their, appearance, at the day fixed for said hearing, which shall be not more than eight days thereafter, or in default thereof, that the said surety will pay the fine attached to the breach of said ordinance, with all costs; and if, on the final hearing of the case, the mayor, or magistrate, shall give judgment against the defendant, or defendants, and the said judgment, and costs, shall not be forthwith paid, or secured to be paid, within ten days, by good security, in the nature of special bail absolute, for debt, and costs, the mayor, or magistrate, shall have power to commit the said defendant, or defendants, to the county jail, or city lock-up, or put at public labor, for a period, not exceeding thirty days, or until said judgment, and costs, be paid: *Provided*, That defendant, or defendants, may appeal from said judgment, when the same exceeds ten dollars, upon entering into recognizance, with one or more sufficient sureties, conditioned that he, or they, will pay the debt, and all cost that has, or may, accrue, if the final determination of said appeal is against the appellant, or appellants.

SECTION 12. One assessor, and two assistant assessors, shall hereafter be elected, at the usual time of electing said officers, in each of the election districts of said city; and said assessors, and assistant assessors, shall meet together, for the purpose of equalizing the assessment of taxes in the several wards in said city.

Election of assessors and assistants.

SECTION 13. The councils of said city shall have power to borrow money, for the purpose of carrying out any of the powers, granted by this act, or any of the acts relating to said city, and to issue the bonds of said city in payment thereof, with, or without, coupons attached, bearing interest not exceeding seven per cent. per annum, payable semi-annually, at the office of the treasurer of said city, said bonds not to run more than twenty years from date, and no bond to be for a sum less than one hundred dollars, and to levy, and collect, a tax sufficient to pay the interest thereon, as it becomes due, and the principal at maturity; and said councils shall also have power to levy, and collect, an additional tax, for general purposes, not exceeding ten mills on the dollar of valuation.

Councils empowered to borrow money, issue bonds, and levy tax.

SECTION 14. One-half the license fees, charged by law, on beer saloons, billiard saloons, dining saloons, restaurants, and all places at which distilled, or fermented, liquors are sold, by less measure than one quart, in said city, shall, when collected, be paid into the treasury of said city.

License fees on beer saloons, restaurants, &c., relative to.

SECTION 15. The said councils shall have power to order the paving of any street, or part of street, in said city, by a vote of two-thirds of the members, elected to each council, without the petition, or proceedings thereon, now required by the acts relating thereto.

Councils may order the paving of streets, without petition.

SECTION 16. All ordinances and resolutions, passed by the councils of said city, shall be forthwith recorded by the clerk of the select council, in a book provided for that purpose, and kept in the select council room, which book shall be, at all times, open to the inspection of any citizen, without fee, or

Ordinances and resolutions to be recorded.

charge; and all laws, requiring the ordinances, of said city, to be recorded in the office of the recorder of deeds, of said county, be and the same is hereby repealed.

Repeal.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 569.

### A Further Supplement

To the act incorporating the Susquehanna Canal Company, approved the fifteenth day of April, Anno Domini one thousand eight hundred and thirty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That from and after the passage of this supplement, at all elections, held under the provisions of the act, of which this is a supplement, the stockholders shall be entitled to one vote, for every share of stock they may respectively hold.

SECTION 2. All acts, or parts of acts, inconsistent herewith, are hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 570.

## An Act

To increase the capital stock of the Eagle Cotton Works of Allegheny city.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the capital stock of the Eagle Cotton Works, incorporated by act of assembly, approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act to incorporate the Eagle Cotton Works," shall be and the same is hereby increased to the sum of three hundred thousand dollars, to be divided into twelve thousand shares, of twenty-five dollars each; and any thing in the original act, inconsistent herewith, shall be and the same is hereby repealed; and shall pay into the state treasury, upon all increase of capital stock, a bonus of one-half of one per centum, in four equal, annual, instalments.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 571.

## A Supplement

To an act, entitled "A supplement to the act consolidating the city of Philadelphia," relative to taxes in the Twenty-third ward of said city, approved May third, eighteen hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the compensation allowed to the receiver of taxes, in the said Twenty-third ward, for his services, shall, hereafter, be two and one-half per centum of all moneys received, by him, during the current year for which the said taxes shall have

been levied ; said compensation to be computed, for this year, from the first day of January, Anno Domini eighteen hundred and sixty-four.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 572.

## A Supplement

To an act to incorporate the Brady's Bend Iron Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Brady's Bend Iron Company may increase its capital stock five hundred thousand dollars, in addition to the amount heretofore authorized, and may sell, or otherwise dispose of, such stock as it may, from time to time, issue, at such rates, and in such manner, as shall have been previously consented to by the stockholders, acting by a majority, in interest, at any general, or special, meeting, and shall pay into the state treasury, upon all increase of capital stock, a bonus of one-half of one per cent., in four equal, annual, payments.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 573.

*An Act*

To change the place of holding the elections in, and for, the township of Worth, in the county of Centre.

WHEREAS, The house in which, the elections for the township of Worth, in the county of Centre, was destroyed by fire on the twentieth of March, Anno Domini one thousand eight hundred and sixty-four; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That, hereafter, the general, special and township, elections, in, and for, the township of Worth, in the county of Centre, shall be held in school house number two, about one mile above Port Matilda, in said township, and on the road leading to Phillipsburg.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 574.

*An Act*

Relating to the Powell Tract Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the Powell Tract Coal Company is hereby authorized to hold three thousand two hundred and thirty-two acres of land, in addition to that now allowed by the mining laws of Pennsylvania.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 575.

**An Act**

To grant to the county of Erie the interest of the Commonwealth, in a strip of land, on the west side of the tract formerly granted to said county, for the use of the poor of said county.

WHEREAS, The commonwealth of Pennsylvania, by an act, approved the eighth day of April, one thousand eight hundred and thirty-three, entitled "An Act granting the third section of the town of Erie, to the borough of Erie, for the purpose of erecting a canal basin in the bay of Presque Isle," reserved out of the said third section, one hundred acres, for the use of a poor house, for the county of Erie, to be selected by three persons, to be appointed for that purpose by the commissioners of the county of Erie :

*And whereas,* The persons so appointed, selected the one hundred acres out of the south-west portion of the said third section ; but in locating the same, left a strip of land one hundred and thirty-one perches and six-tenths of a perch in length, by sixty feet in width, between the west line of the land selected, and the west line of the said third section :

*And whereas,* The title to the said piece of land is in the commonwealth ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That all the title and interest of the commonwealth, to and in the piece or strip of land, one hundred and thirty-one perches and six-tenths of a perch in length, by sixty feet in width, situate between the west line of the one hundred acres, selected by the persons appointed by the commissioners of the county of Erie, and the west line of the third section of the town of Erie, be and the same is hereby transferred to the county of Erie, to form a part of the poor house tract of said county : *Provided,* That nothing contained in this act, shall be held to interfere with vested rights.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 576.

*A Supplement*

To an act, entitled "An Act to incorporate the Susquehanna Boom Company," passed the twenty-sixth day of March, one thousand eight hundred and forty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That it shall, and may, be lawful, for said boom company, to extend their said booms up the said Susquehanna river, from time to time, and at such points, or places, on said stream, as the company shall determine, that the public interest requires: *Provided,* That said boom company shall not extend their booms, up said river, more than fifteen miles above the limits of the present charter of said company: *Provided further,* That said booms be so constructed, as to admit the safe passage of rafts, and boats, and not impede the navigation of said river, and the branches thereof: *And provided also,* That all persons shall have the same privilege of landing rafts of logs, masts, spars, boards, or other lumber, and fastening the same, as they have heretofore enjoyed, and the said corporation shall construct, and at all times keep, and maintain, their piers, and booms, sufficiently strong to secure all the lumber contained therein; but no person shall be allowed, at any time, to encumber said booms with rafts, either of logs, or other lumber: *Provided also,* That in cases where square timber may have been rafted, to run to market, and such rafts may be stoved, or broken to pieces, in any way, or should go into said boom by accident, or be taken in by the agents of said corporation, the said company shall deliver the same to the owner, on the production, by him, of reasonable evidence of his right thereto, for which they shall be entitled to twelve and a half cents for every piece of square timber, to be paid by the person claiming the same.

Authorized to  
extend their  
booms.

Proviso.

Proviso.

Proviso.

Proviso.

SECTION 2. Hereafter, it shall not be lawful for any person, or persons, to take up, and raft, any saw logs, within five miles above said Susquehanna boom, in any case where said saw logs shall have been previously registered by the owner, or agents, thereof, in the office of the said company, to receive into their booms, and secure the same, without being subject to the same charges as are now, by law, chargeable for, and upon, logs rafted, and delivered, by said company, to be collected from the person, or persons, taking up, and rafting, said logs, or from the owner, or owners, thereof, at the option of

Prohibition.

the company, as debts of like amount are now, by law, recoverable.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN

No. 577.

## A Supplement

To an act for the relief of certain officers, approved April fifth, Anno Domini one thousand eight hundred and sixty two.

WHEREAS, It was provided by said act, that certain costs be ascertained, and paid, and certain persons, who testified in the case mentioned, though alike entitled, were inadvertently omitted from said act; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in the settlement of the costs, provided for by said act, approved April fifth, Anno Domini one thousand eight hundred and sixty-two, the bill of the civil engineers, who testified in the case of the Franklin Canal Company, for examinations, and estimates, ascertained in the manner provided by said act, shall be alike embraced, as if contained in said original act, and be paid from the same funds, and in like manner, as the other items provided for by said act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 578.

*A Supplement*

To an act to incorporate the Youghiogheny Coal Hollow Coal Company, approved March the seventeenth, one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the fourth section of the act, to which this is a supplement, as limits the capital stock of said company to four thousand shares, be and the same is hereby repealed; and the capital stock of said company shall, hereafter, consist of ten thousand shares, of fifty dollars each, with power to increase the same, in the manner provided in said act, to any amount, not exceeding twenty thousand shares: *Provided,* That upon all increase of capital stock, the said company shall pay into the state treasury a bonus of one-half of one per centum, in four equal, annual, payments.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 579.

*An Act*

To incorporate the Keystone Mining Company of Colorado.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Morton C. Fisher, Warner M. Rasin, Allen Walton, Dillwyn Parrish, Junior, William Pearsall, and Rodman B. Ellison, and their associates, be and they are hereby created a body politic, by the name, and title, of the Keystone Mining Company of Colorado, and by such name, and title, shall have perpetual succession, and shall be capable of suing, and being

**Privileges.** sued, implead, and being impleaded, and of granting, and of receiving, in its corporate name, all kinds of property, real, personal, and mixed, and of holding, and of improving, lands in Colorado territory, and elsewhere, and to obtain therefrom any, and all, minerals, ores, and other valuable substances, whether by working, or mining, or leasing, or disposing of privileges to work, or mine, such lands, or any part thereof, and to erect houses, and such other works, or machinery, as may, in the opinion of the managers of the corporation, appertain to said business, and to use, let, lease, or work, the same, and to dispose of the products of all such lands, mines, and works, as they may deem proper.

**By-laws.** SECTION 2. That the said company shall have power to make such by-laws as they may deem proper, to enable them to carry out the objects of the corporation, and the same to alter, amend, add to, or repeal, at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of this commonwealth, or the provisions of this act, and to adopt a common seal, and the same to alter at pleasure, and to issue certificates of stock, representing the value of their property, in such form, and subject to such regulations, as they may, from time to time, by their by-laws, prescribe, and to regulate, and prescribe, in what manner and form, their contracts and obligations shall be executed.

**Seal.**  
**Certificates of stock.** SECTION 3. That the corporators of this act shall elect persons, to serve as directors of this company, a majority of whom shall constitute a quorum, for the transaction of business, and shall hold their offices until their successors shall have been elected, in accordance with the by-laws.

**Election of directors.**  
**Offices.** SECTION 4. That it shall be lawful for said company to establish the necessary offices, for the business of the company, wherever their business is located, and to have their principal office in the United States, in such places as they may deem expedient, at which place it shall be lawful to hold all meetings, for the transaction of the business of the company.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-ninth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 580.

**An Act**

To increase the compensation of the county commissioners and auditors  
of Pike county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the county commissioners, and auditors, of Pike county, shall each receive, out of the county treasury, the sum of two dollars per day, for each, and every, day necessarily employed by them, or either of them, in attending to the duties of their office.

HENRY C JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 581.

**An Act**

To change the compensation of the commissioners of Butler county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the compensation, now allowed by law, to the county commissioners of Butler county, be changed to two dollars per day; this change to take effect, and change the said compensation, from and after the first day of January, Anno Domini one thousand eight hundred and sixty-four: *Provided however,* That if the said commissioners shall sit more than one hundred days each, annually, their per diem compensation, in excess of one hundred days, shall be one dollar and fifty cents.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 582.

*A further Supplement*

To an act to encourage the manufacture of iron with coke or mineral coal, and for other purposes, approved the sixteenth day of June, one thousand eight hundred and thirty-six.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Companies incorporated under act of June 16, 1836, may hold lands in other states.

That it shall and may be lawful for any company, now incorporated, or hereafter to be incorporated, under the act of sixteenth of June, one thousand eight hundred and thirty-six, entitled "An Act to encourage the manufacture of iron with coke, or mineral coal, and for other purposes," and its supplements, to continue to hold such mineral, or other, lands, as they may now own, or may hereafter purchase, situate in any other state, or states, of the United States: *Provided*, That the quantity of land, so purchased, or held, shall not exceed, at any time, the quantity, which such company is, or shall, by law, be authorized to hold within this commonwealth.

Proviso.

Authorized to engaged in making iron, steel, &c.

*SECTION 2.* It shall be lawful for the corporations, established by virtue of the act, to which this is a supplement, to employ their funds, and property, in the making of iron, or steel, from the ore, with coke, or mineral coal, or charcoal, or any of them, in manufacturing articles from these metals, and in providing such property, as may be requisite, or suitable, for furnishing the materials, and in carrying on the mining, manufacturing, transporting, and vending, the products of their business.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 583.

**An Act**

To incorporate the New Street Bridge Company of Bethlehem.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Aaron W. Radley, John J. Levers, Richard Leibert, and Herman A. Doster, all of the borough of Bethlehem, in the county of Northampton, be and they are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, under the name, style, and title, of the New Street Bridge Company of Bethlehem, for the purpose of erecting a bridge across the river Lehigh, extending from the foot of New street, in the borough of Bethlehem, across the canal of the Lehigh Coal and Navigation Company, to a point on the south bank of the aforesaid river, opposite the foot of said New street.

Commissioners.

Name.

Location of bridge.

SECTION 2. That the capital stock, of said bridge, shall be twenty-five thousand dollars, to be divided into shares of fifty dollars each, with power to increase the same, if necessary, to an amount sufficient for the erection of said bridge.

Capital stock.

SECTION 3. That whenever five thousand dollars, of the capital stock, shall have been subscribed, the commissioners, named in this act, or any three of them, may hold an election for officers of said company, of which election, ten days' previous notice shall be given, by handbills, or otherwise; the board shall consist of a president, five directors, treasurer and a secretary.

Election of officers.

Notice.

SECTION 4. That the said company shall be organized under, and subject to, all the provisions and restrictions of the act, regulating bridge companies, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

Subject to.

**HENRY C. JOHNSON,**

Speaker of the House of Representatives.

**JOHN P. PENNEY,**

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

**A. G. CURTIN.**

No. 584.

**An Act**

To incorporate the Arizona Gold and Silver Mining Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That R. D. Barclay, J. M. Ritterson, Joseph Lesley, George Taber, O. W. Barnes, Thomas A. Scott, and their associates, or any three of them, be and they are hereby created a body politic, by the name, style and title of the Arizona Gold and Silver Mining Company, and by such name, and title, shall have perpetual succession, and shall be capable of suing, and being sued, impleading, and being impleaded, and of granting, and receiving, in its corporate name, property, real, personal and mixed, and of holding, and improving, lands in Arizona, and the territories adjacent thereto; and to obtain therefrom any, and all, minerals, and other valuable substances, whether by working, or opening, leasing, or disposing privileges to work, or mine, such lands, or any part thereof, and to erect houses, and such other buildings, or works, as may properly appertain to said business, and to use, let, lease, or work, the same, and to dispose of the products of all such lands, mines and works, as they may deem proper.

By-laws.

SECTION 2. That the said company shall have power to make such by-laws as they may deem proper, to enable them to carry out the objects of the corporation, and the same to alter, amend, add to, or repeal, at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of this commonwealth, or the provisions of this act, and to adopt a common seal, and the same to alter at pleasure, and to issue certificates of stock, representing the value of their property, in such form, and subject to such regulations as they may, from time to time, by their by-laws prescribe, and to regulate, and prescribe, in what manner and form, their contracts and obligations shall be executed.

Proviso.

Seal.

Certificates of stock.

Election of directors.

SECTION 3. That the corporators, named in this act, shall elect persons to serve as directors, a majority of whom shall constitute a quorum for the transaction of business, and shall hold their offices until their successors shall have been elected, in accordance with the by-laws.

Officers.

SECTION 4. That it shall be lawful for said company to establish the necessary offices for the business of the company, wherever their business is located, and to have their principal office in the United States, in such place as they may deem expedient; at which place, it shall be lawful to hold all meetings for the transaction of the business of the company.



SECTION 5. That the provisions of this act shall continue in Limitation.  
force for twenty years, and no longer.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thou-  
sand eight hundred and sixty-four.

A. G. CURTIN.

No. 585.

## A Further Supplement

To an act, entitled "An Act to incorporate the Big Mountain Improvement  
Company," approved April twelfth, eighteen hundred and fifty-one.

WHEREAS, The Big Mountain Improvement Company has Preamble.  
been engaged, for many years, in endeavoring to develop  
their lands in Coal township, Northumberland county, with  
but partial success:

And whereas, The stockholders of said company are de-  
terred from extending those developments, by the fact, that  
their charter will expire, before they can receive any adequate  
return, for the risk to be encountered:

And whereas, It is the policy of this state to encourage  
the development of her mineral resources; now therefore,

SECTION 1. *Be it enacted by the Senate and House of Represen-  
tatives of the Commonwealth of Pennsylvania in General Assem-  
bly met, and it is hereby enacted by the authority of the same,*

That the charter of the Big Mountain Improvement Company Charter exten-  
shall be and the same is hereby extended for the term of twenty ded.  
years, from the expiration of the present charter; and said  
company shall, from the date of this act, be entitled to all the  
rights and privileges, conferred upon companies, formed under Privileges.  
the provisions of an act, to enable joint tenants, tenants in  
common, and adjoining owners in this commonwealth, to man-  
age and develop the same, approved April twenty-first, eigh-  
teen hundred and fifty-four, and the various supplements  
thereto.

SECTION 2. That the said company shall pay into the trea- Bonus.  
sury of the state, one-half of one per centum of the capital  
stock, hereby authorized, in four equal, annual, instalments;  
the first of which instalments shall be paid, within one year  
from the date of the organization of the company; and the  
stockholders of said company shall be individually liable, Individual lia-  
jointly and severally, for debts due mechanics, workmen and bility.

Proviso.

laborers, employed by said company, and for materials and provisions, furnished said company, to be sued for and collected, as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three: *Provided*, That no stockholder shall be held individually liable for any such debts, unless the same shall be sued for, within one year after they shall become due.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 586.

## An Act

To vacate part of Allegheny and New Brighton Turnpike Road, in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Allegheny and New Brighton Turnpike Company be and are hereby empowered to vacate, by resolution of the board thereof, the whole, or part, of their road, lying and being within the borough of Manchester: *Provided*, The councils of said borough consent thereto.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 587.

**A Supplement**

To an act relating to the several courts of Butler county, approved eighteenth day of March, one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the panel of petit jurors, summoned and appearing on the second Monday of each term, of the several courts of Butler county, shall remain in attendance as long as may be necessary for the disposal of all cases depending: *Provided,* That said attendance shall not be required for a longer period of time than two weeks; and so much of the second section of an act, entitled "An Act relating to the several courts of Butler county," approved eighteenth March, one thousand eight hundred and sixty-three, as conflicts herewith, be and the same is hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 588.

**A Further Supplement**

To the several acts incorporating the borough of Pottsville, in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the borough of Pottsville shall have power to make ordinances, directing the size of culverts, through which, creeks and streams of water may flow across the public streets, and private property, and shall have power, by ordinance, to direct, that any of the streams of water shall be diverted into public culverts, in the streets, in order to straighten Council authorized to make ordinances relative to culverts, &c.

Construction of culvert for conveying water of the Norwegian creek, relative to.

ten the said streams, to avert the danger to public streets, and private property, from freshets; and the said town council, for the purpose of making a culvert for conveying the water of the Norwegian creek, to the Schuylkill river, shall have power and authority, to enter upon any lands, to survey, mark out and construct a culvert, and shall pay for property, so taken, such compensation as may be just, to be determined in the same manner, upon the petition of the owners of the property, in the same manner, as is provided by the general railroad law.

In case of property owners refusing to comply, council may construct, and collect cost. Twenty per cent. additional

SECTION 2. That if any owner of property shall neglect, or refuse, to comply with the directions of any ordinance, of the council, directing the size of the culvert, for any stream of water, as aforesaid, the council shall have the same power and authority, to make and construct the same, and collect the cost thereof, with twenty per centum in addition thereto, in the manner provided by the act of April eleventh, eighteen hundred and fifty-nine, for curbing, paving and repairing of pavements, in the borough of Pottsville; the provisions of which act are hereby extended to the culverts that may be made, under the authority of this act.

Certain provisions extended to.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 589.

## An Act

For the relief of George Lose.

WHEREAS, George Lose, of the borough of Salem, Westmoreland county, incurred considerable expense, (one hundred dollars,) in taking the body of his only son, who died in the service, at Annapolis, to Westmoreland county; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the appropriate accounting officers be required to ex-

amine the claim of the said George Lose, and if found correct, to order it to be paid, by warrant of the auditor general.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 590.

## A Further Supplement

To an act, entitled "An Act to incorporate the Delaware, Lehigh and Wyoming Valley Railroad Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That by and with the the consent of the holders of a majority of the stock of the Nanticoke Railroad Company, it shall be lawful for the Wyoming Gravity Railroad Company to commence their railroad at, and connect it with, the Nanticoke railroad, at any point between the boroughs of Pittston and Wilkesbarre, in Luzerne county, and to terminate it at, and connect it with, the Delaware, Lackawanna and Western railroad, at any point in Monroe county: *Provided*, Said company shall be required, in crossing public highways, to cross above, or below, grade, so far as relates to highways in the county of Monroe, if required to do so by the county commissioners of said county; and that the time for completing said road is hereby extended for five years, from the passage of this act.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 591.

**An Act****For the relief of wives deserted by their husbands, in the county of Berks.**

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Aldermen, &c.,  
authorized to  
issue warrants  
for the arrest  
of husbands de-  
serting their  
wives.

That if any man, being within the limits of the county of Berks, shall, hereafter, separate himself from his wife, or wife and children, without reasonable cause, it shall be lawful for any alderman, justice of the peace, or magistrate, residing in said county, upon information made before him, under oath, or affirmation, by the said wife, or children, or any of the directors of the poor, in and for said county, or any person, or persons, having an interest in the support of said wife and children, to issue his warrant to any constable, of said county, for the arrest of the person, against whom information shall be made, as aforesaid, and him to bind over, with one sufficient surety, to appear at the next court of quarter sessions of said county, according to law.

To be bound  
over to appear  
at court.

Court to order  
the payment of  
a sum sufficient  
for relief of wife  
and children.

*SECTION 2.* The warrant, aforesaid, shall be returned to the next court of quarter sessions, of said county, when it shall be lawful for said court, after hearing, to order the person, against whom complaint has been made, being of sufficient ability, to pay such sum as they shall think reasonable, not exceeding one hundred dollars per month, for the relief and maintenance of the said wife and children, and to commit such person to the jail of said county, there to remain until he comply with such order, or give security, by one, or more, sureties, and in such sum as the court shall direct, to the directors of the poor, of said county, for the performance thereof, or be discharged by due course of law.

In default of  
payment, to  
commit to jail.

**HENRY C. JOHNSON,**

Speaker of the House of Representatives.

**JOHN P. PENNEY,**

Speaker of the Senate.

**APPROVED**—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

**A. G. CURTIN.**

No. 592.

*An Act*

To incorporate the Marshfield Coal Land Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That Alexander Ardley, Edward Roberts, Algernon S. Roberts, William M. Hiester, William H. Clymer, John Bannan, and their associates and successors, be and they are hereby incorporated, and made a body politic and corporate, in fact and in name, by the name of the Marshfield Coal Land Company, and by that name, shall have perpetual succession, and be capable in law of holding and conveying such real and personal property, as may be necessary for the objects of this incorporation, in Tremont, Reilly and Frailey townships, Schuylkill county, not exceeding, at any one time, two thousand acres, may sue and be sued, plead and be impleaded, in all courts of law and equity, and may have a common seal, which they shall have power to alter and renew at pleasure.

SECTION 2. That the said company shall be and is hereby invested with all and singular the powers, privileges and immunities, and be subject to all the restrictions and provisions, contained in, and conferred by, the second, third and fourth sections of an act to incorporate the Rausch Creek Company, approved the second day of April, one thousand eight hundred and sixty: *Provided*, That the board of directors shall consist of five members, a majority of whom shall have power to transact business; and that the said company pay, into the state treasury, a tax of one-half of one per centum, upon their capital stock, in four annual payments, and such other taxes as are now, or may hereafter be, imposed by law upon like corporations.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 593.

## An Act

For the relief of James Miller, of Lancaster county, a soldier of the war of eighteen hundred and twelve.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and required, to pay to James Miller, of Lancaster county, a soldier of the war of eighteen hundred and twelve, a gratuity of forty dollars, immediately, and an annuity of forty dollars a year, during life, payable semi-annually, commencing on the first of March, Anno Domini one thousand eight hundred and sixty-four.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 594.

## An Act

For macadamizing a portion of Broad street, in the city of Philadelphia.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the councils of the city of Philadelphia shall cause to be commenced, at a period not later than will allow of the completion thereof, before the first day of January, one thousand eight hundred and sixty-five, the macadamizing of the centre of Broad street, of the width of thirty-two feet, from Prime street, or Washington avenue, to Moyamensing or Jefferson avenue, the same to be done in a substantial manner,



and of the most approved character of material and construction.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 595.

### An Act

To provide for repairing, paving, curbing, and making the side-walks, in the borough of Pottstown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That to enable the burgess and town council, of the borough of Pottstown, in the county of Montgomery, to keep, or cause to be kept, or made, the side-walks of said borough, in good order and repair, the said burgess and town council are authorized to require the owners of lots, or reputed owners, in said borough, to make, repair, curve, pave and lay down, such side-walks, or pavements, in front of their respective lots, or parts of lots, by a specified day, and in accordance with the regulations and specifications of said town council.

Council authorized to require lot owners to make, repair, &c., side walks.

SECTION 2. That the burgess and town council shall give written notice, to each and every person, whose side-walks, or pavements, are required to be made, or repaired, or the reputed owner, or tenant, of said property, stating therein what repairs are to be made, the kind of material to be used, and the day when the work is to be completed, which notice shall be served, at least, thirty days, before the work is required to be completed.

Notice to be given.

SECTION 3. That should any property owner neglect, or refuse, to make the repairs required by the said burgess and town council, in accordance with section one, of this act, on the notice required by section two, having been given, then the said burgess and town council, of the borough of Pottstown, are hereby authorized to direct the street commissioners, of said borough, to make the said repairs so required; and a duplicate of the costs, of all such repairs, shall be made, charging each property owner, reputed owner, or tenant, with the costs of making, curbing, paving, filling, grading, or repairing,

In case of neglect or refusal to comply, street commissioner to make repairs, &c.

Duplicate of costs to be made.

Collection of.

Upon failure to collect, lien to be filed.

Notice to be served on agents, where owners are non-resident.

May be posted on lot in certain cases.

Burgess to have the powers of a justice of the peace, &c.

Duties as president of council.

Repeal.

the side-walks in front of their respective lots, or parts of lots, including all work, labor and materials, required in making, or repairing, same; which said amount, or sum, so incurred, shall be placed in the hands of the borough collector, and collect the same as the borough taxes are now by law collected.

SECTION 4. That if the collector shall be unable to collect the amount, so charged to any property owner, reputed owner, or tenant, within sixty days from the time of his having received the amount for collection, he shall make return of the same to the burgess and town council, who shall then be fully authorized to file a lien, in the same manner that mechanics' liens are filed; which said lien shall be filed and entered in the prothonotary's office, of Montgomery county, within six months from the completion of said repairs; the lien shall state the number of lot, the name of the owner, or reputed owner, and the amount, or charge and costs, of work and materials used thereat, with twenty per cent. added; said lien shall be a *bona fide* lien upon and against such lot, or parts of lots, and shall be valid to all intents and purposes, and shall be collected in the same way that mechanics' liens are now by law collectable.

SECTION 5. That if there is no person occupying any lot, the said work, in front of which, is in need of being made, or repaired, and the owner, or reputed owner, is a non-resident, then, in that case, the notice, required by the second section of this act, may be served on the agent of the owner, or reputed owner, of said lots; or if neither the owner, nor agent, resides in the said borough, then, notice may be posted up on the lot, or lots, with the same effect as if personal notice were given.

SECTION 6. That the burgess, of the borough of Pottstown, be clothed with power and authority to act, in all respects and particulars, as a justice of the peace, except in civil actions; said burgess to have full and equal jurisdiction with justices of the peace, so far as criminal actions and misdemeanors are in question, to be a committing magistrate, to all intents and purposes; said burgess to preside as president of the town council, but shall have no vote whatever upon any question; the burgess not to assume the authority of president of the town council, until after the spring election of one thousand eight hundred and sixty-five.

SECTION 7. That all acts of assembly, or parts of acts, hereby supplied, or inconsistent with this act, relative to the selection of the president of said town council, be and are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 596.

*An Act*

For the relief of Philip Leonard, of Lancaster county, a soldier of the war of one thousand eight hundred and twelve.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized, and required, to pay to Philip Leonard, of Lancaster county, a soldier of the war of one thousand eight hundred and twelve, a gratuity of forty dollars, immediately, and an annuity of forty dollars during life, payable semi-annually, commencing on the first of March, Anno Domini one thousand eight hundred and sixty-four.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 597.

*An Act*

Relative to the estate of William Hamilton, of Clearfield county.

WHEREAS, James Hamilton, of Lawrence township, Clearfield county, did, by his last will and testament, dated June seventh, Anno Domini one thousand eight hundred and thirty-three, and recorded in the office of the register of wills in said county, in will book page et cetera, give and bequeath, *inter alia*, one-third of all his lands, situate in said township, to his son, William Hamilton :

*And whereas*, The said William Hamilton, over twenty-six years ago, left his wife and three children, to wit: James Hamilton, T. R. Hamilton, and T. B. Hamilton, then residing in Bellefonte, Centre county, and never has returned to them, nor been heard from, for more than twenty-one years, and the said heirs having attained their majority ; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said William Hamilton shall be deemed deceased in law, and his interest in the property, mentioned in the aforementioned will, be as fully and effectually, vested in the said heirs, above named, as though he were known to be dead; and they shall have full power and authority, to enter upon, take possession of, or sell, and convey, the same, and in all things therein, to exercise all the rights, powers and privileges, which he obtained, by virtue of the provisions of said will, saving and reserving, to the widow of said William Hamilton, all her rights in the same, as they exist, under the laws of this commonwealth.

**HENRY C. JOHNSON,**

Speaker of the House of Representatives.

**JOHN P. PENNEY,**

Speaker of the Senate.

**APPROVED**—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

**A. G. CURTIN.**

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No. 598.

## An Act

To authorize the Surveyor General to furnish copies of certain surveys to the county surveyor of Allegheny county, and to define the place for keeping the records of the county surveyor's office.

Preamble.

**WHEREAS,** Some of the records of surveys in the county surveyor's office, for the county of Allegheny, have been lost, and many of the original surveys being negligently left unrecorded, by previous surveyors of lands, in said county, as well as that many of the older surveys were executed long before the organization of said county, some in Cumberland, in Bedford, Westmoreland and Washington counties, Pennsylvania:

*And whereas,* It is very desirous that the deficiency be supplied, as far as practicable; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the surveyor general of the commonwealth is hereby authorized and required, to furnish the county surveyor, for the county of Allegheny, certified copies of all such drafts, as he may designate, as being required to supply a full collection of the surveys, whether made on applications, warrants, cer-

Surveyor general to furnish copies of certain surveys.

tificates, improvements, or otherwise, at the rate allowed by law for such services.

SECTION 2. That from and after the passage of this act, it shall be the duty of the county surveyor, for the county of Allegheny, to deposit and keep, at an office, within the court house, at the county seat of said county, all the records, books, surveys, warrants, certificates, orders and other papers, pertaining, or which may hereafter pertain, to the said office; and all of the said records shall be kept open, at all proper times, for the inspection of every citizen.

Allegheny county surveyor to keep records, &c., in office, at county seat.

SECTION 3. That all the several drafts shall be received in evidence, in any judicial proceeding, in the same manner as the original drafts of surveys; and that the commissioners of said county shall, out of the funds of the said county, pay the county surveyor, a reasonable compensation for his services in this behalf, to be determined by three competent artists, appointed by the judges of the district court of said county: *Provided*, That no expenditure shall be increased to an amount exceeding one hundred dollars, to be paid from the treasury of Allegheny county, until an estimate for the same shall have been submitted to the commissioners and controllers of said county, and be approved by them.

Drafts to be received in evidence as originals.

Compensation of surveyor.

Proviso.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 599.

## A Supplement

To the act relating to brokers and private bankers, approved sixteenth May, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general be and he is hereby authorized and required, to examine all cases of penalties, incurred under the third section of the act, to which this is a supplement, and upon payment of all taxes due to the commonwealth, by any of the parties incurring the same, the collection of the penalty,

therein named, shall be suspended, upon payment of costs by defendant.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN

No. 600.

## An Act

Relative to a certain trust created by deed from Jesse Spencer and wife, to Edward Foulke and others, dated fifth day of seventh month, one thousand eight hundred and thirty-eight.

WHEREAS, Jesse Spencer, and Mary E., his wife, by their indenture, bearing date the fifth day of the seventh month, in the year of our Lord one thousand eight hundred and thirty-eight, and recorded in the office for recording of deeds, at Norristown, in and for the county of Montgomery, in deed book number fifty-five, page two hundred and seven, did, for the consideration therein mentioned, grant and confirm unto Edward Foulke, Jesse Foulke, Israel Scott, Jonathan Roberts, and Jeremiah Walton, and to the survivor and survivors of them, and to the heirs and assigns of such survivors and survivor, a certain lot, or piece, of land, situate in the township of Gwynedd, in the said county of Montgomery, bounded by lands of Jacob Hoover, Jesse Spencer, Elenor Simmons and others, in the said indenture, particularly mentioned and described, containing one acre and twenty-six perches of land, in trust for the use and benefit of the religious society of Friends, belonging to Gwynedd preparative meeting, to be used and occupied for the purpose of erecting, or maintaining, a meeting house, with sheds and other appendages, suitable to a meeting of Friends, as likewise for a burying ground, and for such other purposes as the said preparative meeting shall, by minute, direct, and for no other use and purpose whatever, it being understood and declared that the preparative meeting, mentioned and referred to, is that which belongs to, and constitutes a part of, Philadelphia yearly meeting, which has been for many years, and still continues, in the practice of convening, on the third second day in the fourth month in each year, at the meeting house, on Mulberry street; and upon the further trust, that the said trustees, or the survivor of them,

should, at any time thereafter, at the request of said preparative meeting of Gwynedd, expressed by a minute of said meeting, attested by the signature of the regularly appointed clerk, grant and assure the said premises to such other person and persons, as the said preparative meeting should direct and appoint:

*And whereas,* The said Gwynedd preparative meeting of Friends, for more than seven years past, has ceased to perform its functions, and closed its existence, without having made any provisions for the conveyance, or transfer, of the said premises, to any other person, or body, and so far as may be, has become merged in, and superseded by, the Gwynedd monthly meeting of Friends, which said monthly meeting is in unity with, and subordinate to, the Philadelphia yearly meeting of Friends, mentioned and referred to as aforesaid, and is therefore deemed to be a fitting *cestui que trust*, in the place of the said preparative meeting; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the trustees, named in the said deed of trust, or the survivors and survivor, shall have, hold and possess, the tract of one acre and twenty-six perches of land, mentioned and described, as aforesaid, with the meeting-house and buildings, thereon erected, and the appendages thereto, in trust, and for the benefit and behoof of the Gwynedd monthly meeting of Friends, in unity with the Philadelphia yearly meeting, aforesaid, of which Gwynedd preparative meeting, aforesaid, was a constituent part, for the same uses and purposes as are mentioned and declared in the said deed of trust; and all the rights and powers, which formerly belonged to the said Gwynedd preparative meeting, in relation to the said premises, are hereby vested in the said Gwynedd monthly meeting of Friends; and if at any time, hereafter, it shall be deemed advisable, by the said (last monthly meeting mentioned,) to sell, or dispose of, the said premises, or any part thereof, they are hereby empowered so to do; the purchase money, arising from such sale, in that case, to be invested and applied in such manner, and for such uses and purposes, as the said Gwynedd monthly meeting may prescribe and direct.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 601

*An Act*

To incorporate the town of Howard, Centre county, into a borough.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Incorporation.

Boundaries.

That the town of Howard, in the county of Centre, shall be and the same is hereby erected into a borough, which shall be called the borough of Howard, and shall be bounded and limited as follows, to wit: beginning at the Bald Eagle and Spring Creek canal, at or near where the Bald Eagle public road crosses said canal; thence south, thirty-five degrees, east one hundred and eighty-one perches, to a pine tree; thence north, fifty-five degrees, east one hundred and eighty-seven perches, to turnpike road; thence, by a continued line, along said road, north twenty-five degrees, west sixty-six perches, to a stone; thence south, sixty-two degrees, west twenty-eight perches, to a stone; thence along the lands of the Howard furnace, north thirty-five degrees, west ninety-three perches, to a stone; thence south, seventy-two degrees, west one hundred and twenty-one perches, to the Bald Eagle and Spring Creek canal; thence along the north side of said canal, to the place of beginning.

Elections, time and place of holding.

*SECTION 2.* The inhabitants of said borough, qualified to vote for members of the general assembly, having a *bona fide* residence, of at least thirty days immediately preceding the election, shall, on the first Monday of June next, and on the second Monday of May, in every year thereafter, meet at the school house, in said borough, and then and there, between the hours of one o'clock and seven o'clock, in the afternoon, elect, by ballot, one citizen, who shall be styled the burgess of said borough, and five other citizens, to be members of the town council, annually; and at the first election, three school directors, one to serve one year, one for two years and one for three years, and thereafter, one school director annually; and one person to be constable of said borough, whose name shall be returned to the next court of quarter sessions, for the like purposes as in elections of township constable; the said inhabitants shall, also, at the same time and place, elect two justices of the peace, one judge and two inspectors of elections, and assessors, agreeably to the laws of the commonwealth; the said elections shall be conducted in the same manner, as is provided for the election of township officers of this commonwealth, except that the certificates of the election of burgess, town council and school directors, shall be filed among the records of the corporation: *Provided*, That the first election, to be held under this act, shall be held by a judge and two inspectors, to be chosen by the inhabitants present at the opening of said election, by the constable of the township of

Burgess.

Council.

School directors.

Constable.

Justices of the peace.

Election officers

How election to be conducted. Certificates.

First election, how to be held.



Howard, whose duty it shall be, at least ten days before the first Monday in June, the day appointed for the holding of the first election, to give public notice, by six or more printed or written advertisements, affixed at as many of the most public places, within the limits of the said borough, of the time and place of holding such election; and the said constable is hereby required and directed, to attend at the said school house, on the first Monday in June next, and open said election.

SECTION 3. The said borough shall be a separate election district, and the electors, thereof, shall hold their borough and general elections, at the school house, in said borough.

SECTION 4. The town council shall levy and collect, annually, for borough purposes, any tax, not exceeding four mills on the dollar, on the valuation assessed for county purposes, as now is, or may be, provided by law.

SECTION 5. The said borough shall be a separate school district, and shall be entitled to all arrearages of taxes, levied on the property within the same, and not specifically appropriated prior to the passage of this act; and the school directors, elected under this act, shall perform the same duties, and possess the like powers, in all respects, as school directors, elected agreeably to the general laws of this commonwealth: *Provided*, That if it shall be found that, on account of great distance from, or difficulty of access to, the proper school house, in any other district, the pupils, who have heretofore attended the schools within the limits of the said borough, and who shall not reside therein, after the passage of this act, and the said pupils could be more conveniently accommodated in the schools of the said borough, it shall be the duty of the directors, or controllers, of such adjoining district, to make an arrangement, by which, such pupils may be instructed in the most convenient school of the adjoining district, and the expense of such instruction shall be paid, as may be agreed upon by the directors, or controllers, of such adjoining districts, by resolution, or agreement, entered upon the minutes of the respective boards.

SECTION 6. That from and after the said first Monday of June next, the burgess and town council, duly elected, and their successors, shall be one body politic, and corporate, by the name, style and title of the Burgess and Town Council of the borough of Howard, and shall have, possess and enjoy, all the rights, liberties, franchises and privileges of a borough incorporated in pursuance of the act passed first of April, Anno Domini eighteen hundred and thirty-four, entitled "An Act to provide for the incorporation of boroughs;" and the several provisions of said act, so far as the same are not inconsistent with this act, shall extend to, and be in force within, said borough, as fully as if the said borough had been incorporated agreeably to the provisions thereof.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 602.

## An Act

To extend the provisions of an act to preserve trout in the counties of Schuylkill and Lancaster, to the counties of York and Cumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act to preserve trout in the counties of Schuylkill and Lancaster," approved the twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-one, be and the same are hereby extended to the counties of York and Cumberland.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 603.

## An Act

Relating to the collection of taxes in the borough of Washington, in Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if any person, association, or corporation, shall, on or before the first day of September, in any year, pay to the collector of taxes for the borough of Washington, in the county of Washington, his, her, or their, quota of taxes levied by the corporate authorities of said borough, in pursuance of law, he, she, or they, shall be entitled to an abatement of five per centum on the amount so paid; and it shall be the duty of the

said collector to add five per centum to all taxes, on his duplicate, remaining unpaid on the first day of October in any year.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 604.

## A Supplement

To an act to incorporate the St. Clair Cemetery Association of the borough of Greensburg, Westmoreland county, approved April nineteenth, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the St. Clair Cemetery Association of the borough of Greensburg, Westmoreland county, are hereby authorized and empowered to purchase and hold any amount of real estate, not exceeding one hundred acres, under the same restrictions, for the same purposes, and with the same privileges, as contained in the act to which this is a supplement: *Provided,* That there shall be no additional enrolment tax charged on this as a supplement thereto.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 605

**An Act**

To authorize a *per capita* tax in Somerset and Allegheny counties, to pay bounties to volunteers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors, or other ward, borough, or township, officers, in Somerset and Allegheny counties, authorized by the general bounty act to levy and assess taxes to pay a bounty to volunteers, be and are hereby authorized to assess and collect, from each male taxable, in any one of said districts, such sum as the said board may deem right, not to exceed five dollars upon any one taxable inhabitant.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 606.

**An Act**

To incorporate the West Buck Mountain Coal and Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators. That William L. M'Dowell, Frederick Leibrandt, Henry Volkmar, Lewis Rothermel, Jacob S. Yost, Lucinda Rittenhouse, William A. Van Buskirk, Nicholas Rittenhouse, and George de B. Keim, their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, under the name, style and title, of the West Buck Mountain Coal and Iron Company, by which name, the said corporators shall have perpetual succession, with all the privileges and franchises pertaining to a corporation; and that the capital stock, of said corporation, shall be one million of dollars, di-

Title.

Privileges.

Capital stock.

vided into shares of twenty dollars each, with power, at any time, to increase the capital stock to one million five hundred thousand dollars.

SECTION 2. That the said corporation shall have the right to hold, in fee simple, five thousand acres of land, situate partly in Black Creek township, Luzerne county, partly in Union township, Schuylkill county, and partly in Beaver township, Columbia county, and to hold any estates, for terms of years, in any mineral lands, adjoining the said body of lands; and shall have all the powers and privileges that are granted, and be liable to the same restrictions that are imposed by the act of twenty-first of April, eighteen hundred and fifty-four, entitled "An Act to enable joint tenants, tenants in common, and adjoining owners of mineral lands, in this commonwealth, to manage and develop the same," and the several supplements thereto, except so far as the same are changed by this act; and for the purpose of developing the said body of lands, the said corporation shall have power to construct any lateral railroads, of not more than nine miles in length, to connect the same with any railroad now built, or hereafter to be built, and to transport coal, minerals and merchandize over said lateral railroads; and for the purpose of locating and constructing the said railroads, the said corporation shall have the same powers as are granted by the act of May fifth, eighteen hundred and thirty-two, entitled "An Act regulating lateral railroads;" and all damages for the entry upon, and occupation of, any land, for the purpose of constructing the said lateral railroads, shall be assessed in the manner provided by said act.

Authorized to hold lands in certain counties, &c.  
Subject to.  
May construct lateral railroads  
Damages, relative to.

SECTION 3. This corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum, on the capital stock hereby authorized, or hereafter created, in four equal, annual, instalments, and such taxes on dividends, as is, or may be, provided by law; and the stockholders, of said company, shall be individually liable for all debts due mechanics, workmen and laborers, employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected, as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Iron and Coal Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

Bonus.  
Tax on dividends.  
Individual liability.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 607.

**An Act**

Relative to the Locust Mountain Coal and Iron Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Locust Mountain Coal and Iron Company be and they are hereby authorized to make, from time to time, sales of said land and distribution of the proceeds thereof: *Provided,* That all debts due by the company are fully paid, or satisfactorily secured, before such distribution: *And provided further,* That there shall be retained, by the said company, not less than three thousand acres of the land now owned by them; and the said company shall be at liberty, from time to time, to reduce their capital stock, and the par value of each share, to the actual value of the land retained by said company.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 608.

**An Act**

To authorize Samuel Graham and Robert Graham, committee of Walter L. Graham, a lunatic, to sell certain real estate.

Authorized to  
sell certain real  
estate.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel Graham and Robert Graham, committee of Walter L. Graham, a lunatic, shall have full power to sell, at public or private sale, all, or any portion, of the real estate of said lunatic, at whatever prices they think sufficient, and to make, execute and deliver, deed, or deeds, for the same, to the purchaser or purchasers.

Lands held in  
common, rela-  
tive to.

**SECTION 2.** Where the said lunatic held lands in common with others, the said committee shall have power to make

an agreement, dividing the same, and make the necessary deeds therefor.

SECTION 3. Where the said lunatic held land in common, or in joint tenancy, with others, and the same had been divided by the said lunatic and the other party owning the same, and survey made thereof, before he was found a lunatic, the said committee are hereby authorized and required to make, execute and deliver, a deed for the portion set apart by said survey to the other party, when a deed is tendered to said committee for the portion surveyed to said lunatic, and in his possession: *Provided*, That before any deed shall be executed and delivered, by said committee, to the purchaser, or purchasers, therefor, the court of common pleas, having jurisdiction of the accounts of said committee, shall approve of such sale, and the adequacy of the price, and terms of payment of the consideration to be paid for the same.

Committee to make deed for land divided, before found to be a lunatic.

Proviso.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 609.

## A Further Supplement

To the act incorporating the Gettysburg Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Gettysburg Railroad Company shall have power, and are hereby authorized, subject to the conditions, provisions and restrictions of the act regulating railroad companies, approved nineteenth of February, Anno Domini one thousand eight hundred and forty-nine, and its supplements, to extend the said Gettysburg railroad from a point on said railroad, at, or near, the town of New Oxford, in the county of Adams, to the borough of York, so as to connect with the Wrightsville, York and Gettysburg railroad, or to the borough of Columbia, so as to form a connection in, or near, said borough, with the Pennsylvania Central railroad.

Authorized to extend road.

SECTION 2. That for the purposes aforesaid, said Gettysburg Railroad Company shall have power to increase its capital stock to such an amount as the company may think proper, money.

May increase capital stock and borrow money.

and also to borrow money, and mortgage the road as security therefor.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 610.

## A Supplement

To an act, entitled "An Act to incorporate the East Broad Top Railroad and Coal Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Time for commencing and completing road extended.

That the time for commencing the railroad, authorized by the act, approved the sixteenth of April, one thousand eight hundred and fifty-six, and the supplement thereto, entitled "An Act to incorporate the East Broad Top Railroad and Coal Company," be and the same is hereby extended for three years, from the passage of this act, and the time for completing the same, to seven years, from the passage of this act.

Number of directors may be reduced.

SECTION 2. That the incorporators, or stockholders, of the said company, are hereby authorized, to reduce the number of their directors to not less than seven, including the president, a majority of whom shall form a quorum.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 611.

*An Act*

To repeal the second section of an act, relative to ten-pin alleys, billiard rooms and bowling saloons, in Mifflin county, and for other purposes, approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-two.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second section of an act, relative to ten-pin alleys, billiard rooms and bowling saloons, in Mifflin county, and for other purposes, approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-two, be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 612.

*An Act*

To authorize the erection of a poor house by the township of Stroud, in the county of Monroe.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Peter Keller, Robert Brown, John Kern, John Frank-  
field and Simon Barry, of the township of Stroud, in the coun-  
ty of Monroe, and state of Pennsylvania, be and they are  
hereby appointed commissioners, whose duty it shall be, or a  
majority of them, as soon after the passage of this act as they  
may deem practicable, to determine upon a proper site, and,  
with the assent of the court of quarter sessions of said county,  
to purchase such real estate as may be necessary and proper  
for the accommodation of the poor of the township of Stroud,

Commissioners.

Their duties  
and powers.

aforesaid; and it shall be lawful for said commissioners to take and receive proper conveyances therefor, in the name and for the use of the corporation mentioned in the second section of this act, and upon the receipt of such conveyance, to execute, in the name of said corporation, and deliver, to the vendor, or vendors, bonds, or mortgages, upon said real estate, to secure the payment of so much of the purchase money thereof as shall remain unpaid, and, also, to erect thereon suitable buildings for the accommodation and keeping of the poor of said township; and they are, also, authorized and empowered to borrow such sum, or sums, of money as may, in their opinion, be advisable and necessary, not exceeding ten thousand dollars, at a rate of interest not exceeding six per centum, to be used in the payment of the expense of purchasing said real estate and erecting said buildings, and to secure the payment of the same by bonds and mortgages on said real estate.

Commissioners constituted directors of the poor, until election.

Title of corporation.

Privileges.

Elections of directors, when and how to be held.

SECTION 2. That the said Peter Keller, Robert Brown, John Kern, John Frankenfield and Simon Barry are hereby constituted directors of the poor in the township aforesaid, until successors are elected, or appointed and qualified, as hereinafter provided: and they and their successors, in office, are hereby created a body politic and corporate in law, to all intents and purposes whatever, relative to the poor of said township, and shall have perpetual succession, by the name, style and title, of the Directors of the Poor of Stroud township, and by that name, may sue and be sued, plead and be impleaded, receive, take and hold, any lands, tenements and hereditaments, not exceeding the yearly value of two thousand dollars, to erect and keep in proper condition suitable buildings for the reception, use, accommodation and employment of the poor of said township, and to provide all things necessary for the lodging, maintenance and employment, of the poor of said township.

SECTION 3. That the said Peter Keller, Robert Brown, John Kern, John Frankenfield and Simon Barry shall continue in office, as directors, until the annual spring election, in the year one thousand eight hundred and sixty-six, at which time, the qualified electors of the township of Stroud, aforesaid, shall elect one person to serve as director of the poor of said township, for the term, or period, of three years, the said Peter Keller, Robert Brown and John Kern, retiring, and the said John Frankenfield and Simon Barry holding over until the usual spring election, for township officers, in said township, in the year one thousand eight hundred and sixty-seven; at which time, the qualified voters of said township shall elect one person to serve as director of the poor of said township, for the term, or period, of three years, the said Simon Barry holding over until the usual spring election, for township officers, in said township, in the year one thousand eight hundred and sixty-eight; and at the usual spring election, for township officers, in said township, after the spring election, in the year one thousand eight hundred and sixty-six, and every year thereafter, the qualified voters of said Stroud township shall elect one person to serve as director of the poor of said township, for the term, or period, of three years; and for the

purpose of ascertaining the result of said election, it shall be the duty of the judge and inspectors of elections, to count up the votes polled, in the said township, for the respective candidates for the office of director of the poor, aforesaid; and such candidate as shall have received the highest number of votes, in said township, shall be declared elected; and the said judge and inspectors shall, thereupon, certify his election, accordingly, as well to him as to the board of poor directors of said township; and in case of a tie vote between the candidates for the said office, in said township, the constable shall put the names of the candidates, thus having received an equal number of votes for the said office, respectively, into a suitable box, or drawer, and after having shaken them together, shall draw therefrom the paper containing the name of one of said candidates, and such person, whose name shall have been thus drawn, shall be declared elected to the office aforesaid; and the judge of elections, in whose presence the said drawing shall take place, shall certify, together with the constable, the election of said director of the poor, as well to himself, as to the board of directors of the poor of said township; and in case of a vacancy occurring, in said board of directors of the poor of said township, by death, resignation, or otherwise, it shall be the duty of the judges of the court of quarter sessions, of the county of Monroe, to appoint a suitable person, to fill such vacancy for the unexpired term of the director causing the same: *Provided*, That the person appointed to fill such vacancy shall reside in the township of Stoud, aforesaid: *And provided further*, That the judges of the court of quarter sessions of Monroe county shall have power to remove any director for gross neglect of duty, or other misconduct, upon the petition of twenty, or more, of the electors of said Stroud township, on hearing of the complaint, after reasonable notice to the director complained of.

Vacancies to be filled by court.

Proviso.

Court may remove.

SECTION 4. That the directors shall, before entering upon the duties of their office, respectively, be duly sworn, or affirmed, to faithfully discharge the duties of said office; and the persons, herein appointed directors, shall, as soon as they shall think proper, after the passage of this act, appoint a treasurer, steward, or superintendent, collector of poor taxes, and such other assistants as they may deem necessary, who shall serve until successors are appointed; and in the month of March, in the year one thousand eight hundred and sixty-six, and in the month of March, in each year thereafter, the said directors shall appoint a treasurer, collector, steward, or superintendent, physician, and such other assistants as they may deem necessary, to serve for one year, and until successors are appointed and qualified; the said treasurer and collector to give bonds, with sufficient security, to be approved by the president judge of said county, and filed in the office of the prothonotary of said court, conditioned for the faithful performance of their respective duties, in such sum as the said directors shall require; any of said officers, or assistants, may be removed, by said directors, for neglect of duty, or for improper conduct in office, and the vacancies, as well as all vacancies which shall otherwise occur, shall be filled by them.

Oath.

Appointment of officers, relative to.

Treasurer and collector to give bonds.

Vacancies.

Tax, rate of,  
and how to be  
levied.

Collection.

Directors to ex-  
ercise the pow-  
ers of overseers.

Duties of direc-  
tors.

Taxation, rela-  
tive to.

SECTION 5. That the said directors, a majority of whom shall constitute a quorum for the transaction of business, shall have power, annually, as soon after the returns of the annual assessments, in said county, as is practicable, to lay a rate of assessments upon all real and personal property, trades and occupations, and all other matters and things, made taxable under existing laws, for state and county purposes, in the township aforesaid, for defraying the expenses of purchasing the real estate, as referred to in the first section of this act, erecting said buildings, and of stocking, and fitting up, the property of the corporation, for the proper comfort and employment of the poor, of said township, which shall be the same rate per centum, in said township, and shall be levied upon the basis of the last adjusted valuation, made for regulating county rates and levies; and having caused fair duplicates of such rate, or assessment, by them laid, to be made, which shall be signed by them, shall issue their warrant to the collector of such tax, therein authorizing and requiring him to demand, receive and collect, from every person, therein named, the sum wherewith such person stands charged, in the manner, and by the same process, as poor taxes are now, by law, collectable; and the said directors shall, from the time of the providing, by them, of suitable buildings, for the accommodation of said poor, exercise and perform all the powers and duties, which overseers of the poor may, and are now required, by law, to exercise and perform, within said township, except so far as such acts, duties and powers, are herein expressly prescribed, or limited.

SECTION 6. That the said directors shall keep, or cause to be kept, a book, or books, in which shall be entered the names, the age and sex, and place of nativity, of all and every poor person, coming from the township, aforesaid, to whom they shall give relief, in the poor house, aforesaid; and they shall keep, or cause to be kept, a just and true account of the cost and expenses of maintaining the poor, admitted into the said poor house, or relieved by the said directors; and the said directors, or a majority of them, shall have power, annually, as soon after the returns of the annual assessment, in said county, as practicable, to lay a rate of assessment upon the real and personal estate, trades, occupations, and all other matters and things, made taxable, under existing laws, for state and county purposes, within the township aforesaid, for defraying the expenses of maintaining the poor of said township; which rate shall be levied upon the basis of the last adjusted valuation, made for regulating county rates and levies, and shall not, together with the rates, for which, provisions have been made in the preceding section of this act, exceed one cent on the dollar, at one time; and having caused fair duplicates of such rate, or assessment, by them laid on the property, aforesaid, in said township, to be made, which shall be signed by them, shall issue their warrant to the collector of such tax, therein authorizing and requiring him to demand, receive and collect, from every person, therein named, the sum wherewith such person stands charged, in the manner, and by the same process, as poor taxes are, by existing laws, collectable.

SECTION 7. That the said directors shall have the exclusive power to grant exonerations for taxes, levied in pursuance of this act. Exonerations.

SECTION 8. That the directors shall keep, or cause to be kept, a book, showing the amount of taxes levied, in said township, the amount exonerated and collected, and the amount expended, in maintaining the poor of said township; which book, or books, shall, at all times, be open to the inspection of any of the electors, in the said township. Accounts of collections, exonerations and expenses, to be kept.

SECTION 9. That the said directors shall, as soon as they shall have provided suitable buildings, for the accommodation of the poor, of said township, file, in the office of the clerk of the quarter sessions, of Monroe county, a certificate, setting forth that such buildings are ready for the reception and accommodation of said poor; which certificate shall also contain a statement of the real estate purchased, with a brief description of the buildings thereon, the cost of procuring and fitting up the same, together with the cost of stocking and fitting up the property of the corporation; and they shall also give notice to the overseers of the poor, of said township, of their readiness to receive and accommodate the poor thereof, which said overseers are required, forthwith, to furnish said directors with a list of the names of the persons, then a charge upon said township, or receiving relief therefrom, with the place of residence of each; and the said directors shall, thereupon, cause such poor persons, or such of them as they shall think it expedient, to be removed to said house, so provided, and thereafter to be kept, lodged and maintained, therein, so long as such person shall continue a charge upon said township; and no person, who shall refuse to go to said poor house, or to be maintained therein, shall be entitled to relief, or support, from said directors, or from said township, during the time of such refusal: *Provided however*, That said directors may, if they think proper, furnish assistance, and afford relief, to any poor person, without requiring them to be removed to, and kept at, said poor house. Directors to file certificate, when buildings completed.

SECTION 10. That the said directors are hereby authorized to provide work and employment for such poor persons, as may be able to perform any labor, or pursue any employment; and if any poor person, unless by reason of age, infancy, disease, infirmity, or other disability, shall refuse to perform reasonable labor, or service, as shall be allotted to, or required of, him, or her, by said directors, such person, or persons, shall not be entitled to, or receive, any relief, or assistance, during such refusal, and shall immediately, upon such refusal, be discharged from said poor house. Notice to overseers.

SECTION 11. That the overseers of the poor, of the township of Stroud, shall, as soon as notified by the said directors, in the manner provided for in a preceding section of this act, cease to act as overseers of the poor in said township, except so far as may be required to settle, adjust and close their accounts, as overseers with said township, or with persons, with whom they have transacted business; and they shall, upon demand, deliver, to the said directors, transcripts of all poor taxes remaining unpaid, on duplicates in their hands, together Their duties.

SECTION 12. That the said directors shall, as soon as they shall have provided suitable buildings, for the accommodation of the poor, of said township, file, in the office of the clerk of the quarter sessions, of Monroe county, a certificate, setting forth that such buildings are ready for the reception and accommodation of said poor; which certificate shall also contain a statement of the real estate purchased, with a brief description of the buildings thereon, the cost of procuring and fitting up the same, together with the cost of stocking and fitting up the property of the corporation; and they shall also give notice to the overseers of the poor, of said township, of their readiness to receive and accommodate the poor thereof, which said overseers are required, forthwith, to furnish said directors with a list of the names of the persons, then a charge upon said township, or receiving relief therefrom, with the place of residence of each; and the said directors shall, thereupon, cause such poor persons, or such of them as they shall think it expedient, to be removed to said house, so provided, and thereafter to be kept, lodged and maintained, therein, so long as such person shall continue a charge upon said township; and no person, who shall refuse to go to said poor house, or to be maintained therein, shall be entitled to relief, or support, from said directors, or from said township, during the time of such refusal: *Provided however*, That said directors may, if they think proper, furnish assistance, and afford relief, to any poor person, without requiring them to be removed to, and kept at, said poor house. Removal of poor

SECTION 13. That the said directors shall, as soon as they shall have provided suitable buildings, for the accommodation of the poor, of said township, file, in the office of the clerk of the quarter sessions, of Monroe county, a certificate, setting forth that such buildings are ready for the reception and accommodation of said poor; which certificate shall also contain a statement of the real estate purchased, with a brief description of the buildings thereon, the cost of procuring and fitting up the same, together with the cost of stocking and fitting up the property of the corporation; and they shall also give notice to the overseers of the poor, of said township, of their readiness to receive and accommodate the poor thereof, which said overseers are required, forthwith, to furnish said directors with a list of the names of the persons, then a charge upon said township, or receiving relief therefrom, with the place of residence of each; and the said directors shall, thereupon, cause such poor persons, or such of them as they shall think it expedient, to be removed to said house, so provided, and thereafter to be kept, lodged and maintained, therein, so long as such person shall continue a charge upon said township; and no person, who shall refuse to go to said poor house, or to be maintained therein, shall be entitled to relief, or support, from said directors, or from said township, during the time of such refusal: *Provided however*, That said directors may, if they think proper, furnish assistance, and afford relief, to any poor person, without requiring them to be removed to, and kept at, said poor house. Proviso.

SECTION 14. That the said directors shall, as soon as they shall have provided suitable buildings, for the accommodation of the poor, of said township, file, in the office of the clerk of the quarter sessions, of Monroe county, a certificate, setting forth that such buildings are ready for the reception and accommodation of said poor; which certificate shall also contain a statement of the real estate purchased, with a brief description of the buildings thereon, the cost of procuring and fitting up the same, together with the cost of stocking and fitting up the property of the corporation; and they shall also give notice to the overseers of the poor, of said township, of their readiness to receive and accommodate the poor thereof, which said overseers are required, forthwith, to furnish said directors with a list of the names of the persons, then a charge upon said township, or receiving relief therefrom, with the place of residence of each; and the said directors shall, thereupon, cause such poor persons, or such of them as they shall think it expedient, to be removed to said house, so provided, and thereafter to be kept, lodged and maintained, therein, so long as such person shall continue a charge upon said township; and no person, who shall refuse to go to said poor house, or to be maintained therein, shall be entitled to relief, or support, from said directors, or from said township, during the time of such refusal: *Provided however*, That said directors may, if they think proper, furnish assistance, and afford relief, to any poor person, without requiring them to be removed to, and kept at, said poor house. Work to be performed by inmates.

SECTION 15. That the said directors shall, as soon as they shall have provided suitable buildings, for the accommodation of the poor, of said township, file, in the office of the clerk of the quarter sessions, of Monroe county, a certificate, setting forth that such buildings are ready for the reception and accommodation of said poor; which certificate shall also contain a statement of the real estate purchased, with a brief description of the buildings thereon, the cost of procuring and fitting up the same, together with the cost of stocking and fitting up the property of the corporation; and they shall also give notice to the overseers of the poor, of said township, of their readiness to receive and accommodate the poor thereof, which said overseers are required, forthwith, to furnish said directors with a list of the names of the persons, then a charge upon said township, or receiving relief therefrom, with the place of residence of each; and the said directors shall, thereupon, cause such poor persons, or such of them as they shall think it expedient, to be removed to said house, so provided, and thereafter to be kept, lodged and maintained, therein, so long as such person shall continue a charge upon said township; and no person, who shall refuse to go to said poor house, or to be maintained therein, shall be entitled to relief, or support, from said directors, or from said township, during the time of such refusal: *Provided however*, That said directors may, if they think proper, furnish assistance, and afford relief, to any poor person, without requiring them to be removed to, and kept at, said poor house. When overseers to cease acting.

Books, moneys, &c., to be delivered to directors. with all books, orders, papers and documents, pertaining to their office as overseers; and shall also pay to the said directors, or to the treasurer, appointed by them, all the moneys unexpended in their hands, belonging to the said township; and the said directors shall, forthwith, issue their warrant, to the collector, for the collection of all such unpaid poor taxes, which shall be collected in the same manner, as is provided for the collection of taxes, assessed by said directors.

Collection of unpaid taxes.

Balance due overseers, how to be paid.

SECTION 12. That if upon a final settlement, by said overseers of said township, as aforesaid, of their accounts as overseers, any balance shall be found due them, or either of them, the said balance shall be certified by the auditors making such settlement; and thereupon, the said directors are required to issue their order upon the treasurer, in favor of such overseer, or overseers, for the amount, or amounts, so certified to be due.

Directors to make annual statements of income, expenditures, &c.

SECTION 13. That the said directors are hereby required, yearly, on the first Monday of January, in each year, to make and prepare, a statement, or cause the same to be done, showing the income of said real estate, for the preceding year, as nearly as the same can be done; also, the excess of the expenditures, over and above said income, during the said preceding year; the amount and kind of personal property, then on hand, including grain, stock, and all farming implements and conveniences; the number of persons, admitted for the township aforesaid, and also the number discharged and belonging to the said township, the length of time each of the said persons remained, and the age, sex, and nativity of each; a just and correct account of the receipts and disbursements, for the said township, during the preceding year; which statement, the said directors shall, annually, in the month of March, in each year, publish in a weekly newspaper, printed in said Monroe county, in three successive issues of the same, together with a statement of the aggregate amount of the receipts, disbursements and expenditures of said corporation, during the preceding year, from any source whatever, or for any cause, or purpose, whatever.

Publication of.

Meeting of auditors.

SECTION 14. That the auditors of the township of Stroud shall constitute a board of auditors, who shall meet on the first Monday of March, in each year, and proceed to audit and adjust the accounts of said directors; and the said auditors shall receive, for their services, each, one dollar and fifty cents per day, for every day necessarily employed by them in performing the duties aforesaid, which shall be paid out of the funds belonging to the corporation.

Duties and compensation of.

Apprentices.

SECTION 15. That the said directors are hereby authorized to bind out poor children under their care, whose parents are dead, or unable to support them, as apprentices, in the same manner, and under the same restrictions, as the overseers of the poor may now, by law, put out such children; and the said directors shall exercise the same power and authority over all real and personal estate, of any poor person under their care, as is now by law vested in the overseers of the poor.

Property of inmates, relative to.

SECTION 16. That the compensation of the treasurer, collector, steward, or superintendent, matron, physician and other

officers, or assistants, shall be fixed by the directors, and the compensation of the directors shall be fixed by the board of auditors, at each yearly settlement for the next succeeding year: *Provided*, That the compensation of said directors, from the passage of this act, until the first settlement, shall be fixed by the board of auditors, at the first yearly settlement; and the said directors shall furnish the said auditors with a correct account of the time and expense, lost and incurred, by them, in attending to their duties, from which account, the said compensation shall be fixed and adjusted.

SECTION 17. That the said directors, or treasurer, or any one, or more, of the tax-payers of said township, may, within thirty days from the yearly settlement by the auditors, as aforesaid, appeal from such settlement, to the court of common pleas of Monroe county, in the same manner, and under the same provisions and regulations, that appeals from township auditors are now made and allowed.

SECTION 18. That no moneys shall be paid by the treasurer, except by orders drawn by the directors, and signed by at least a majority of said directors.

SECTION 19. That at the usual fall election, in October, one thousand eight hundred and sixty-four, the legal voters of said township shall vote for the adoption, or rejection, of this act, by voting printed or written tickets, having on the outside the words "poor house," and on the inside "for a poor house," or "against a poor house;" a majority of the legal votes, so cast, for or against a poor house, shall decide for or against this act.

SECTION 20. That all acts of assembly, or parts of acts, hereby supplied, or inconsistent with this act, be and same are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 613.

**An Act**

For the relief of Isaac Pickel, a soldier of the war of eighteen hundred and twelve.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized, and required, to pay to Isaac Pickel, of Lancaster county, a soldier of the war of eighteen hundred and twelve, an annuity of forty dollars during life, payable half-yearly, commencing the twenty-fifth day of January, one thousand eight hundred and sixty-four.

HENRY C JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 614.

**A Supplement**

To an act in relation to a certain road, in the county of Clinton, approved the twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

That the time of meeting of the commissioners, named in the first section of the act, to which this is a supplement, is hereby extended; and said commissioners are authorized to meet and organize, on or before the first day of September, Anno Domini one thousand eight hundred and sixty-four; a majority of said commissioners shall constitute a quorum, to transact business, and perform the duties required by the provisions of said original act.

Time for meeting of commissioners extended.

Quorum.



SECTION 2. That the time for the completion of the road, mentioned in said original act, is also hereby extended until the first day of September, Anno Domini one thousand eight hundred and sixty-five; and within six months thereafter, it shall be the duty of the secretary of said board of commissioners to file copies of all the doings of said commissioners, with the county treasurer and clerk of the court of quarter sessions, as required by the fourth section of said original act.

Time for completion of road extended.

Secretary of board to file copies of proceedings.

SECTION 3. That such parts of said original act, as are altered by this act, are hereby repealed.

Repeal.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 615.

## An Act

Relating to the Election Divisions of the Twenty-first ward, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That all that part of the eighth division of the Twenty-first ward, in the city of Philadelphia, lying between the sixth and seventh divisions of said ward, and the river Schuylkill, and the north line of said sixth division, extended westwardly to Domino lane, in said ward, shall be attached to, and constitute a part of, the seventh division of said ward.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 616.

*A Supplement*

To the Attleborough Railroad Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said company shall have power and authority to borrow three hundred thousand dollars, at a rate of interest, not exceeding seven per centum per annum, with the privilege of increasing the amount of said bonds, in the same proportion, as the amount of capital stock is increased, and to secure the re-payment of the same, and the interest thereon, to give bonds, secured by a mortgage of, and on, the said railway, and the corporate rights and franchises guaranteed by this act; which principal moneys shall be payable at such dates and times, as the board of directors may deem advisable.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 617.

*Supplement*

To an act for re-building three county bridges, in Berks county, approved the eleventh day of March, Anno Domini eighteen hundred and fifty-one.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

Commissioners  
authorized to  
receive tolls  
from persons  
passing over  
certain bridges.

That the commissioners, of the county of Berks, or their successors in office, may, and they are hereby empowered, to demand and receive toll, at such rates as the said commissioners, or their successors, may fix upon and adopt, from travelers and others, passing the gate, or gates, of the three bridges, mentioned in the act, to which this act is a supplement :

*Provided*, That nothing, in this act contained, shall be so construed as to prevent the said commissioners, or their successors, from contracting with any person, or persons, desirous of using the said bridges, for an annual sum, in lieu of the tolls, fixed and adopted by authority of this act. Proviso.

SECTION 2. That so much of any act of assembly, as conflicts with the provisions of this act, be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 618.

## An Act

To fix the place for holding the general, special and borough elections, in the Second ward, in the borough of Johnstown, in the county of Cambria.

WHEREAS, The public house, in which the elections have heretofore been held, in the Second ward, of the borough of Johnstown, in the county of Cambria, has been converted into a dwelling house :

*And whereas*, Objection is made to holding the elections at such house, hereafter ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That from and after the passage of this act, the general, special and borough elections, for the Second ward, in the borough of Johnstown, in the county of Cambria, shall be held at the public house, in said ward, heretofore occupied by James Downey, senior.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 619.

**A Supplement**

To the act incorporating the North Lebanon and Mount Hope Plank Road and Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of the North Lebanon and Mount Hope Plank Road and Turnpike Company be and the same is hereby changed to the Cornwall Turnpike Company.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 620.

**A Further Supplement**

To an act to provide for the payment of the interest on the State debt, approved the thirtieth day of January, Anno Domini one thousand eight hundred and sixty three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the provisions of the first and second sections of the act, entitled "An Act requiring resumption of specie payments by the banks," approved April eleventh, Anno Domini one thousand eight hundred and sixty-two, are hereby extended to such banks, as exchanged coin for currency, under the provisions of the first section of an act, entitled "An Act to provide for the payment of the interest on the state debt," approved the thirtieth day of January, Anno Domini one thousand eight hundred and sixty-three, until the first of April, one thousand eight hundred and sixty-five: *And provided,* That the supplement, approved the third April, one thousand eight hundred and sixty-three, entitled "A supple-

ment to an act to provide for the payment of the interest on the state debt, approved thirtieth January, one thousand eight hundred and sixty-three," be hereby extended and continued to all banks that have been, or may hereafter be, chartered under the provisions of the act, entitled "An Act to establish a system of free banking in Pennsylvania, and secure the public against loss from insolvent banks," until first April, one thousand eight hundred and sixty-five: *Provided*, That it shall be the duty of the state treasurer to redeem all such certificates, at the same time, or by equal instalments, upon all such certificates, until the whole shall be redeemed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 621.

## An Act

Relating to certain canals.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it is the true intent and meaning of the fifth section of the act, entitled "An Act for the sale of the main line of the public works," approved May sixteenth, eighteen hundred and fifty-seven, and the commonwealth, by said section, does require the purchasers of the main line to keep the canals, referred to in said section, in a condition of repair and fitness for use, which shall, at all times, during seasons of navigation, be equal to, and not inferior to, the condition of repair and fitness for use, in which the same were, at the time the commonwealth delivered the same into the purchasers' possession.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 622.

**An Act**

To incorporate the Youghiogheny Shaft Company.

Corporators.	<p><b>SECTION 1.</b> <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Dr. J. W. Blackburn, Austin Lane, John Markle, C. C. Douglass, James H. Hunter, and William L. Evans, of Westmoreland county, their associates and successors, shall and they are hereby created a body politic and corporate, by the</p>
Name.	<p>name, and style and title of the Youghiogheny Shaft Company, by which name, the said corporators shall have perpetual succession, and have all the privileges, rights and franchises, usually pertaining to a corporation, and common seal, with power to alter the same at pleasure.</p>
Seal.	
Capital stock.	<p><b>SECTION 2.</b> That the capital stock, of said company, shall not exceed two hundred thousand dollars, to be divided into shares of fifty dollars each, and that subscriptions, to such</p>
Subscriptions, how to be paid.	<p>capital stock, may be paid in real or personal estate, appropriate to the business contemplated by this act, at a <i>bona fide</i> cash value, to be agreed upon by a majority, in interest, of the stockholders; all transfers of stock to be made in such manner as the by-laws of the company may prescribe.</p>
Transfers.	
Meeting of corporators.	<p><b>SECTION 3.</b> That the above named persons, or such of them as shall, by signature, accept this charter, and such persons as they shall associate with them, shall meet at such time and place, as may be convenient, within one year after the passage of this act, and upon the acceptance of the provisions of the same, shall proceed to elect, by ballot, five of their number, to serve as directors for the term of one year, or until their successors are duly elected; each share of stock shall entitle the holder, thereof, to one vote, in person, or by proxy; the directors shall elect one of their number to act as president; such other officers shall be appointed, or elected, as shall be prescribed by the by-laws of said company; the governor of this commonwealth, when notified of such acceptance and organization, shall issue letters patent to the aforesaid corporation.</p>
Election of directors.	
Votes.	
Officers.	
Letters patent. Authorized to hold lands, and mineral rights.	<p><b>SECTION 4.</b> That the said corporation shall be able and capable, in law, to take, receive and hold, in fee simple, or for any less estate, lands, and mineral rights, (including any vein, or veins, of bituminous coal,) with their appurtenances, not to exceed two thousand acres at one time, with power to mortgage, sell, or otherwise dispose of, the same, or any part thereof; which lands, and mineral rights, shall be in the county of Westmoreland, and within five miles of the borough of West Newton.</p>
Privileges.	<p><b>SECTION 5.</b> That the said company, or their assigns, shall have the power to open, develop and fully prepare their lands and coal privileges, for mining operations, and, for this pur-</p>

pose, may sink shafts and slopes, and mine and drive entries, or tunnels, under the Youghiogheny river, to connect with the Pittsburg and Connellsville railroad, or any other railroad that may be made, erecting mining houses and tenements, construct lateral railroads, build bridges, prepare for market coal and other minerals, and transport said articles, or any of them, to market, and dispose of the same, and do all such other acts as may be necessary, in prosecution of said business, or needful for the development of said lands and estates.

SECTION 6. That it shall be lawful, for said company, to borrow money, on such terms, and at such rates of interest, as they may deem best, for the purpose of said improvements, and development of said lands and coal business, not to exceed one hundred thousand dollars; and they shall have power to issue bonds to that amount, with coupons attached, for the payment of interest thereon; which bonds shall be secured by mortgage of the real and personal estate of said company, or otherwise; but no bonds shall be issued for a less sum than one hundred dollars.

May borrow money and issue bonds secured by mortgage.

SECTION 7. That said company may lease, for a term, not exceeding thirty years, or sell, all, or any part, of their lands, and mineral rights and improvements, to any party, or parties, to mine and run the coal, at such rates, and upon such terms, as may be agreed upon.

May lease, or sell, their lands, &c.

SECTION 8. That this corporation shall pay, into the treasury of the commonwealth, a bonus of one-half of one per centum on their capital stock, hereby authorized, or hereafter created, in four equal, annual, instalments, and such taxes, on dividends, as are, or may be, provided by law; and the stockholders, of said company, shall be jointly and severally liable to all the provisions, with regard to individual liability, contained in an act, entitled "An Act to encourage manufacturing companies in this commonwealth," approved the seventh day of April, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

Bonus.

Tax on dividends.

Individual liability.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 623.

## A Further Supplement

To an act incorporating the Township Line Road Company, approved  
March thirty one, one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said company is hereby authorized to increase their capital stock to ten thousand shares, and to turnpike Falls lane, from Nicetown lane, to their road.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 624.

## An Act

To incorporate the Citizens' Water and Gas Light Company, of Scranton.

<p>Commissioners.</p> <p>Title.</p> <p>Location.</p> <p>Capital stock.</p> <p>Organization.</p>	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Joseph I. Albright, Joseph H. Scranton, Thomas Dickson, Jacob Robinson and Samuel Sherrerd are hereby appointed commissioners to organize a company, by the name, style and title, of the Citizens' Water and Gas Light Company, of Scranton, to be located in the boroughs of Scranton, Hyde Park and Dunmore, in the county of Luzerne, with a capital stock of twenty-five thousand dollars, to be divided into shares of twenty-five dollars each, with the privilege of increasing said capital stock to any sum not exceeding one hundred thousand dollars, and to be organized under the provisions of an act to provide for the incorporation of gas and water companies, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven.</p>
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SECTION 2. That each share of the said capital stock shall be entitled to one vote, in all elections of the said company. Votes.

SECTION 3. That the said company be authorized to borrow any sum, not exceeding the amount of its capital stock subscribed for, to be secured as provided for in the said act: Authorized to to borrow money.  
*Provided*, That no bonds shall be issued for any sum less than one hundred dollars, or bearing any greater rate of interest than seven per centum per annum. Bonds.

SECTION 4. That the said company may purchase, from the Scranton Gas and Water Company, any portion, or the whole, of the works, conduit pipes, or other property, or franchises, of the said, the Scranton Gas and Water Company, on such terms as may be agreed upon between the iron companies, and may make payment for the same in their capital stock, or otherwise. May purchase property and franchises of the Scranton Gas and Water Company.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 625.

## An Act

To incorporate the Scotland and Mont Alto Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Isaac S. Waterman, George B. Weistling, Thomas Beaver, Holker Hughes and A. F. Dowd, or any three of them, be and they are hereby appointed commissioners, to open books and receive subscriptions, and organize a company, by the name, style and title, of the Scotland and Mont Alto Railroad Company, with all the powers provided by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine. Corporators.

SECTION 2. That the capital stock of said company shall be five hundred thousand dollars, in shares of twenty-five dollars each, with the privilege of increasing the same to an amount sufficient to finish and equip the said road, and carry out the true intent of this act. Title.  
Powers.

SECTION 3. That the said company shall have the right to build and construct a railroad, from a suitable point, at, or Capital stock.  
 Location of road.

near, Scotland, in Franklin county, to, or near, Mont Alto, in said county, with the right to connect with the Cumberland Valley railroad, at, or near, Scotland, in Franklin county.

**When to be commenced and completed.** SECTION 4. The said road shall be commenced within five years, and finished within ten years, from the passage of this act.

**May borrow money and issue bonds.** SECTION 5. The said company shall have power and authority to borrow money, in any sum, or sums, not exceeding, in amount, one half of the par value of the capital stock, at a rate of interest not exceeding seven per centum per annum, and to secure the re-payment of the same, and the interest thereon, to give bonds, secured by a mortgage of and on the said railway, and the corporate rights and franchises guaranteed by this act; which principal moneys and interest shall be payable at such dates and times as the board of directors may deem advisable: *Provided*, That no bond shall be issued for a less sum than one hundred dollars.

**Proviso.**

HENRY C. JOHNSON,  
Speaker of the House of Representatives.  
JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 626.

## An Act

To pay the Clerk of the committee appointed to investigate the condition of Camp Curtin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the state treasurer is hereby required, and ordered, to pay S. J. Rea, the usual per diem allowance now allowed by law to clerks of special committees, together with the usual mileage allowed by law. The number of days served by said Rea, to be certified to by the chairman of said committee, and the mileage to be certified by the clerk of the House of Representatives.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.  
JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 627.

**A Supplement**

To an act to provide for the appointment of a Fire Marshal for Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it is the true intent and meaning of the third and sixth sections of the act to which this is a supplement, that the fire marshal, aforesaid, shall not exercise authority, or jurisdiction, over any member of any fire company organization, within said county of Allegheny, when actually engaged in putting out fires, or in saving property at fires.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 628.

**An Act**

Relative to the Northern Liberties and Penn Township Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That, hereafter, the number of directors of the Northern Liberties and Penn Township Railroad Company shall be reduced to six.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 629.

**An Act**

Relative to the payment of interest on the public debt.

WHEREAS, By an act of Assembly, approved the twelfth day of June, Anno Domini one thousand eight hundred and forty, it was provided that, hereafter, the interest falling due on Pennsylvania stock shall always be paid in specie, or its equivalent; and further, that all other creditors of the commonwealth shall be paid in gold, or silver, or its equivalent:

*And whereas*, It has been enacted by the Congress of the United States, by an act approved the twenty-fifth day of February, Anno Domini one thousand eight hundred and sixty-two, that the notes, issued by the Secretary of the Treasury, on the credit of the United States, shall be lawful money, and a legal tender, in payment of all debts, public and private, within the United States; therefore,

SECTION 1. *Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met*, That so much of an act, approved the twelfth day of June, Anno Domini one thousand eight hundred and forty, as requires the interest on the public debt of this commonwealth to be paid in specie, or its equivalent, be and the same is hereby repealed; and that the said interest shall be paid, by the state treasurer, as the same shall, hereafter, fall due, in such notes as have been, or shall be, declared, by any law of the United States, to be lawful money, and a legal tender in payment of debts, public and private, within the United States.

SECTION 2. That the third section of an act, entitled "An Act requiring the resumption of specie payments by the banks," approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-two, be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 630.

## A Further Supplement

To an act relative to the Catasauqua and Fogelsville Railroad Company, approved February eleventh, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the Catasauqua and Fogelsville Railroad Company shall, hereafter, have the right to regulate the tolls on all passengers and freight, passing over said road: *Provided,* That the said Catasauqua and Fogelsville Railroad Company shall have the right to charge the same rate of tolls as the Ironton Railroad Company are authorized, by law, to charge for freight and passengers, passing over their road.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 631.

## An Act

To incorporate the Cross Cut Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That Isaac S. Alden, G. V. N. Yates, J. L. Grandin, John F. M'Pherson and William K. Witter be and they are hereby appointed commissioners, to open books, at such time and place, and on such notice as they, or a majority of them, may determine, and receive subscriptions of stock, and organize a railroad company, by the name and style of the Cross Cut Railroad Company, in accordance with, and subject to, the provisions of an act, regulating railroad companies, approved the nineteenth day of February, eighteen hundred and forty-

Commissioners.

Name.

Subject to.

nine, except so far as the provisions of the same are altered, or supplied, by this act.

**Capital stock.** SECTION 2. That said company shall have a capital stock of two thousand shares, of fifty dollars each, with the right to increase the same, by a vote of the stockholders, to any amount they may find necessary to carry out the meaning and intent of this act: *Provided*, That said company may borrow money to any amount, they may think proper, and at any rate of interest, not exceeding seven per centum per annum, and pledge the property and franchises of the company, by mortgage, for the redemption thereof; and the number of directors may be fixed by the by-laws of the company.

**May borrow money.**  
**Mortgage.**  
**Number of directors.**  
**Construction of road.** SECTION 3. That said company shall have power to construct a railroad, from a point on the Oil Creek railroad, at, or near, Corry, in the county of Erie, to connect with any railroad constructed, or to be constructed, at any point on the northern boundary of Erie, or Warren, county: *Provided*, That the gauge of said road shall not exceed four feet and ten inches; and said company shall be subject to the provisions of the fifth section of the act incorporating the Meadville Railroad Company.  
**Location.**  
**Gauge.**  
**Certain provisions extended to.**

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 632.

## An Act

Relative to the Good Spring Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That it shall and may be lawful for the Good Spring Railroad Company to extend its road to, and connect with, the road of the Lykens Valley Railroad Company, at such point, and by such route, as, by the directors of the said Good Spring Railroad Company, may be deemed most advantageous; and that the said company be authorized to build branches, not exceeding, in length, six miles each: *Provided*, That the damages for taking any property, for the purpose aforesaid, shall be assessed, secured and paid, as provided by the act, approved

February nineteenth, one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies."

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 633.

## An Act

Authorizing the governor to incorporate a company to erect a bridge over the Susquehanna river, at, or near, Shenk's Ferry, in the county of Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of erecting a bridge over the Susquehanna river, at, or near, Shenk's Ferry, John Kendig, M. D., Casper Hiller, Jacob Warfel, John Gardner, Henry Shenck, Harry Keyser, John Shaub, Henry Graver, Benjamin Good, Jacob Fehl, Samuel Harnish, S. S. Welsh, Martin Good, Benjamin Eshleman, John Graver, John J. Good, Christian Miller, David Bair, Jr., Adam Bortzfield, John R. Witmer, R. W. Shenk, John Warfel, P. Martin Bruner, William Giles, Jr., John Shenk, Maris Hoopes, William Taylor, Jacob F. Frey, James Bones, John Brady, John Shaffner and Adam Doerstler, or a majority of them, be and the same are hereby appointed commissioners, to do and perform the several duties, Commissioners. Their duties. hereinafter mentioned; that is to say, they shall on, or before, the first Monday of July next, procure a book, or books, and enter therein as follows:

We, whose names are hereunto subscribed, do promise to Subscriptions, pay, to the president, managers and company, to erect a bridge relative to, over the Susquehanna river, at, or near Shenk's Ferry, in the the county of Lancaster, for the use of said company, the sum of fifty dollars, for each share of stock set opposite our names, respectively, in such manner and proportions, and at such time and places, as shall be determined by the president and managers, in pursuance of an act of the general assembly of this commonwealth, entitled "An Act authorizing the governor to incorporate a company to erect a bridge over the Susquehanna river, at, or near, Shenk's Ferry, in the county of Lancaster;"

witness our hands this       day of       , one thousand eight hundred and sixty       ; and shall, thereupon, give notice, in two newspapers, one in Lancaster county and one in York county, for three weeks at least, of the time and places, when and where, such book, or books, shall be opened, to receive subscriptions for the stock of said company; at which time and places, some one, or more, of the said commissioners shall attend and shall keep open said book, or books, at least six hours, in every day, for at least two successive days, if so many shall be necessary, and allow any one, above the age of twenty-one years, to subscribe therein, in his own name, or in the name, or names, of any other person, or persons, by whom he shall be authorized to do so, for any number of shares of said stock, until three thousand shares shall be subscribed, when the books shall be closed; but if the whole number of shares shall not be subscribed, the said commissioners may adjourn to such time and place, as they shall think necessary, to receive subscriptions, as aforesaid, and give such further notice as they shall think proper; and when the subscription shall amount to three thousand shares, as aforesaid, the books shall be closed; *Provided always*, That every person offering to subscribe in said book, or books, in his, or her, own name, or in the name of any other person, shall, at the time of subscribing, pay, to the attending commissioner, or commissioners, three dollars on every share so subscribed, out of which shall be defrayed the expenses of taking such subscriptions and other incidental charges; and the remainder, if any there be, shall be paid over to the treasurer of the corporation, as soon as the same shall be organized, and the officers thereof chosen, as hereinafter directed, such first payment, on each share, to be taken and considered as part payment on each share subscribed.

Proviso.

SECTION 2. That as soon as five hundred shares shall have been subscribed, the said commissioners, or a majority of them, may certify the same, together with a list of the subscribers, and the shares subscribed by each, in writing, to the governor, who, thereupon, shall constitute the said subscribers, and all those who may in future subscribe under the provisions of this act, a body corporate, or politic, by the name and style of the President, Managers and Company of the Shenk's Ferry Bridge, and by the said name, the subscribers shall have perpetual succession, and shall be capable of holding their capital stock, and the increase and profits thereof, and enlarging the same, from time to time, by new subscriptions, in such a manner and form, as they shall think proper, if such enlargement be thought necessary to fulfil the intent and meaning of this act, and of purchasing and holding to them, their successors and assigns, and of selling, transferring and conveying, in fee simple, or any less estate, all such lands, tenements, hereditaments and estates, real, personal and mixed, as shall be necessary to them in the prosecution of their work, and of suing and being sued, and of doing all and everything which a body politic and corporate may lawfully do.

When letters patent to be issued.

Corporate name

Privileges.

SECTION 3. That any five of the persons, named in the letters patent of incorporation, shall, as soon as conveniently may be



after the sealing of the same, give notice in one newspaper printed in the city of Lancaster, and one newspaper printed in the borough of York, of a time and place, to be appointed, not less than thirty days from the time of giving said notice, at which time and place the said subscribers shall proceed to organize the corporation, and shall choose, by a majority of votes of the said subscribers present, by ballot, to be delivered either in person, or by proxy, duly authorized, one president, ten managers, and one person for secretary and treasurer, and such other officers as they may think necessary to conduct the business of the company during one year, and until other officers be chosen, and shall have power to make such rules and regulations, not inconsistent with the constitution of this state, or of the United States, as may be necessary for the well ordering the affairs of the company: *Provided always*, That no stockholder shall have more than one vote for each share, not exceeding five shares; and one vote for every two shares above five, and not exceeding eleven shares; and one vote for every three shares above eleven, and not exceeding twenty shares; and one vote for every five shares above twenty: *Provided also*, That no person shall have more than twenty votes, at any election, in determining any question, arising at such meetings, whatever number of shares he may have subscribed.

Notice of meeting of subscribers to be given.

Organization.

Election of officers.

By-laws.

Votes.

Proviso.

SECTION 4. That a public meeting of said stockholders shall be held on the first Monday in January next, following the first election had, as aforesaid, and on the first Monday of November in every succeeding year, at such place as shall be fixed by the rules and orders of the said company, for the purpose of choosing officers for the ensuing year, and the determination of any question affecting the interest of said company.

Annual meeting, when to be held.

SECTION 5. That the president and managers shall procure certificates for all the shares of stock in said company, which shall be signed by the president, and countersigned by the treasurer, and sealed with the seal of the corporation, and each subscriber shall be entitled to one such certificate for each share by him subscribed for, on paying to the treasurer in part, of the sum due thereon, five dollars on each share; which certificate shall be transferable, either by the owner in person, or by his attorney, duly authorized, in the presence of the president, or of the treasurer, for the time being, subject, however, to the payments due, or that may become due thereon; and the person, to whom such transfers shall be made, shall stand in the place of the former holder of the certificate, and be entitled to the same privileges in the company.

Certificates of stock, relative to.

Transfers.

SECTION 6. That the president and managers shall meet at such times and places, and shall be convened in such manner, as shall be agreed on, for transacting the business of the company; at which meeting, a majority shall be a quorum, who, in the absence of the president, shall choose a chairman *pro tempore*, and shall keep the minutes of their proceedings, fairly entered in a book, to be kept for that purpose; and a quorum being met, they shall have full power and authority to appoint such engineers, assistants, and workmen, as they

Duties and powers of president and managers.

shall deem necessary to the erection of said bridge, and they shall fix their salaries and wages; they shall also have power to make contracts, to ascertain the times, manner and proportions, in which the stockholders shall pay the money due, on their respective shares, draw orders on the treasurer for the money necessary to pay salaries, wages, and bills for work done, and labor performed, or materials furnished; which orders shall be signed by the president, or, in his absence, by a majority of the quorum, and countersigned by their clerk, and to do and transact all such other matters and things, as by this act, or by the by-laws of the company, shall be committed to them.

Penalty for non-payment of instalments.

SECTION 7. That if any stockholder, after thirty days' notice, in the manner aforesaid, of the time and places, appointed for the payment of any proportion, dividend, or instalment, of said capital stock, still due on each share, shall neglect to pay the same, for the space of thirty days after the day whereon the same shall be appointed to be paid, every such stockholder shall, in addition to the instalment so called for, pay at the rate of two per centum per month, for every delay of such payment; and if the same, and the said additional penalties, shall remain unpaid, so long, that the accumulated penalties shall become equal to the sum already paid on such share, the same shall be forfeited to the company, and may be sold, under the direction of the president and managers, or the majority of a quorum of them, at any of their meetings for transacting the business of the company, the order for that purpose being first entered in the minute-book, by the clerk of such meeting.

Forfeiture and sale of stock, relative to.

Authorized to contract for purchase of land, &c.

SECTION 8. That before the president and managers of the company aforesaid shall proceed to build said bridge, it shall and may be lawful for them to contract with the owner, or owners, of any land, for the purchase of so much thereof, as shall be necessary, for the purpose of erecting and completing said bridge, and making all the necessary works and causeways, to and from the same, if they can agree with the said owner, or owners; but in case they cannot agree, then it shall and may be lawful, for the said president and managers, to apply to the court of common pleas, of the proper county, which, upon such application, is hereby authorized and required, to appoint three disinterested and discreet persons, of such county, who, after being duly sworn, or affirmed, faithfully to perform the duties enjoined on them, by this act, shall carefully proceed to view and examine so much of the said lands, as shall be necessary, for the purpose of erecting and completing said bridge, and making all the necessary works and causeways, to and from the same, and shall, according to the best of their skill and judgment, estimate the value of the lands, so necessary to be taken, as aforesaid; and having estimated the advantages, as well as disadvantages, which may be sustained by the owner, or owners, of such lands, shall make an appraisement thereof in writing; and the same shall return, together with a map, or draft, describing the bounds of such lands, to the said court of common pleas; and the said appraisement, having been approved by the court shall be filed

In case they cannot agree with owners, court to appoint appraisers.

Their duties.

in the prothonotary's office, together with the said map, or draft; and the said president, managers and company, having paid, to the said owners, respectively, the several sums awarded to be paid to them, together with the costs of appraisement, after the same shall have been confirmed by the court, the said corporation shall be entitled have and to hold, to them, their successors and assigns, the said lands, as fully as if they had been conveyed by their respective owners: *Provided*, That said appraisement shall be held to be confirmed by the court of common pleas, unless exceptions be filed by either party, within ten days after the same shall have been approved by the court, and filed

Appraisement to be approved by court, and draft filed.

Exceptions.

SECTION 9. That it shall be lawful for the president and managers, their superintendents, engineers and workmen, to enter on lands and enclosures, near the place where the bridge is to be built, for the examination and location of the same, and to cut and carry away any timber, or dig gravel, quarry stone, or gather sand, necessary for building said bridge; also, to enter thereon with wagons, carts, sleds, sleighs, or beasts of burden, or draft, and to take and carry off any material necessary in the construction of said bridge, doing as little damage as possible, and making amends for any damages that may be done, or giving security for the payment of the same; and if the parties cannot agree upon the amount of damages that may be done, said damages shall be assessed, as road damages are now, by law, assessed; and where viewers, appointed according to the laws relative to the road damages, assess and report damages in favor of the owner, or owners, of such lands and enclosures, the said president and managers shall pay such damages, so assessed, together with all the costs of such view; and in case of the refusal of said president and managers to pay the same, the court, in which said report of views was filed, shall enforce payment thereof by execution, attachment, or sequestration.

Damages, assessment and payment of.

SECTION 10. That the president and managers of said company shall keep fair and just accounts of all moneys, received by them from the subscribers to the capital stock of said company, for all penalties for delay in payment thereof, and of the amount of the profits, or shares, which may be forfeited, as aforesaid; of all voluntary contributions, and of all moneys expended by them in the prosecution of the said work, and shall, once in every year, submit such accounts, in detail, to a general meeting of the stockholders, until the said bridge be completed, and all expenses, incurred in erecting the same, shall be fully paid and discharged, and the aggregate amount of all such expenses shall be liquidated and ascertained; and if, in such liquidation, or whenever the whole capital stock of the said company be nearly expended, it shall be found that the capital stock will not be sufficient to complete said bridge, according to the true intent and meaning of this act, it shall be lawful for the said company, at a stated, or special meeting, to be convened, according to the provisions of this act, or their own by laws, to increase the number of shares to such extent as shall be deemed sufficient to accomplish the work, and to demand and receive the moneys subscribed on such

Accounts of receipts, expenditures, &c., to be submitted annually.

Capital stock may be increased.

shares, in like manner, and under like penalties, as are herein provided for the original subscription; which additional shares shall entitle the holder to the same rights and privileges as those originally subscribed for.

Authorized to receive tolls.

SECTION 11. That when the said company shall have erected and completed a bridge over the Susquehanna river, at the place aforesaid, the property thereof shall be vested in the said company, their successors, or assigns; and the said company, their successors, or assigns, are hereby empowered to erect gates, and to demand and receive tolls for crossing said bridge, at such rates as the president and managers shall, from time to time, determine: *Provided*, They shall cause to be put up and kept, in some conspicuous place, at the gates of said bridge, a list of the rates of toll: *And provided also*, That the bridge shall be so constructed as not to injure, or obstruct, in any manner, the navigation of the Susquehanna river.

Rates.

Bridge not to obstruct navigation.

Penalty for demanding greater rates of toll than prescribed, and neglecting to keep bridge in repair.

SECTION 12. That if the said company, their successors, or assigns, or any person employed by them, shall collect, or demand any greater rate of prices, for passing over said bridge, than what is prescribed in the list of tolls, put up at the gate, as aforesaid, or neglect to keep said bridge in repair, he, or they, shall forfeit, for every such offence, the sum of twenty dollars, to be recovered as debts of a similar amount are recovered, one-half to be paid to the county, and the other half to the person who may sue for the same.

Accounts of tolls received by collectors, &c.

SECTION 13. That the said president, managers and company, shall keep a just account of all moneys received by their several collectors of tolls, for crossing the said bridge, and after deducting all contingent costs and charges, and such proportion of the income, as may be sufficient for a fund, to provide against the decay, the repairing and re-building of the said bridge, that time and accident may render necessary, they shall declare and make a dividend of the balance, and shall, semi-annually, on the first week of May and November, publish the dividend to be made, of the clear profits arising from the tolls, as aforesaid, among the stockholders, and the time and place, when and where the same shall be paid, and shall cause the same to be paid accordingly, in ten days thereafter, or as soon as the same shall be demanded, after the said ten days shall have expired.

Dividends, relative to.

Penalty for injuries to bridge, &c.

SECTION 14. That if any person, or persons, shall wilfully pull down, break, or destroy, with intent to injure any part, or parts, of the said bridge, or any toll-house, gates, or bars, or any other property of the said corporation, erected for the use of said bridge, or the persons employed in conducting the business thereof, or shall wilfully deform, or destroy, the letters, or figures, in any list of the rates of tolls, affixed in any place, for the information of passengers, or shall wilfully, or maliciously, obstruct, or impede, the passage on, or over, the said bridge, or any part, or parts, thereof, he, she, or they, so offending, shall each of them forfeit and pay, for each and every such offence, to the said company, the sum of twenty dollars, to be recovered as other debts, of a like amount, are recoverable; and if any person shall be guilty of carrying

any lighted cigar, or pipe, or of carrying fire in any manner whatsoever, over said bridge, except in a lantern, or in some vessel, secured, so that the probability of setting fire to said bridge shall be fully prevented, or shall discharge any pistol, or gun, or any fire-arms, on or near said bridge, he, she, or they, so offending, shall forfeit and pay to the said company, the sum of ten dollars each, for every such offence, to be recovered as aforesaid; or, if any person, or persons, shall ride, or drive, his or their horse, or horses, on, or over, said bridge, in a faster gait than a walk, he, she, or they, so offending, shall forfeit and pay, to the said company, the sum of ten dollars for every such offence, to be recovered in like manner, as aforesaid; but no suit shall be brought for any of the aforesaid offences, unless commenced within thirty days after it shall be known who committed said offence; and he, or they, so offending, shall remain liable to actions, at the suit of said president, managers and company, for such wrongs, if the sums herein mentioned, be not sufficient to repair and satisfy said damage.

Prohibition.

Penalty.

Penalty for riding, or driving, faster than a walk.

SECTION 15. That if the president, managers and company, for erecting the bridge aforesaid, shall not proceed to carry on said work, within the space of four years, from the passage of this act, and shall not, within the space of six years, from the passage thereof, complete the same, the rights and privileges, hereby granted to the said company, shall revert to the commonwealth.

When bridge to be commenced and completed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 634.

## An Act

To authorize the Directors of the Poor and of the House of Employment, of the county of Fayette, and the guardian of Levi Springer Gaddis, to exchange and convey certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the poor and of the house of employment, of the county of Fayette, and the guardian of Levi Springer Gaddis, are hereby authorized to exchange certain

pieces of real estate, and to make and execute all necessary deeds and conveyances for the same.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 635.

## An Act

To validate the sale of certain real estate in the borough of Titusville, in the county of Crawford.

WHEREAS, Jesse Hays and Alexander K. Hays, of the borough of Titusville, in the county of Crawford, did, on the sixteenth day of April, Anno Domini one thousand eight hundred and sixty-four, grant and convey, by deed of general warranty, to A. B. Funk and Ira Canfield, of the same place, a certain tract, of two acres of land, situated in the borough of Titusville, and county of Crawford, for the sum of five thousand dollars, said deed being acknowledged before B. S. M'Allister, a justice of the peace, of said borough, on the sixteenth day of April, Anno Domini one thousand eight hundred and sixty-four :

*And whereas*, It now appears that Alexander K. Hays, one of the above named grantors, was not, at the time of said sale, of full and lawful age, (he being but nineteen years old,) which fact was not then known to the said Funk and Canfield :

*And whereas*, The said Jesse Hays and Alexander K. Hays have joined in a memorial to this legislature, praying for the passage of an act validating said sale ; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That said conveyance shall have the same force and effect, and vest as good a title in the said A. B. Funk and Ira Canfield, as though the said Alexander K. Hays had been of full and lawful age at the time of the signing and delivery of said conveyance.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 636.

*An Act*

To change the time of closing the polls, at the general and township elections, in the county of Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That at all general, special and township, or borough elections, hereafter held in the county of Bradford, the polls shall be closed at six o'clock in the afternoon, instead of seven, as heretofore provided by law.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 637

*An Act*

To incorporate the Associate Farmers' Hotel Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That Daniel Yeakle, of Montgomery county, William Lewis and Tryon Lewis, of Delaware county, Elias E. Smith and D. W. Cadwallader, of Bucks county, and Sterling Bonsall, and their associates, or any three of them, and all other persons, who may become holders of the stock, hereinafter mentioned, be and they are hereby constituted a body politic and corporate, by the name, style and title, of the Associate Farmers' Hotel Company, to have perpetual succession, to be capable of suing and being sued, by their corporate name, to have a common seal, and the same to alter and renew at pleasure, and to have, hold, receive, enjoy and take, either by absolute conveyance, in fee simple, or on ground rent, and in case of a purchase on ground rent, with power to execute the neces-

Corporators.

Name.

Privileges.

- Prohibition.** sary covenant, for the securing the payment thereof, such real estate as may be necessary and convenient, for the construction of a hotel, for market purposes, in the city of Philadelphia, with such supplementary buildings, as may be adapted to the business thereof, for the accommodation and use of any person, or persons, who may be desirous of renting and using the whole, or any part, of the same; and the said real estate, or any part thereof, when, in the opinion of the said corporation, it may be proper so to do, to sell and convey to any person, or persons: *Provided however*, That if the said company, or their lessees, with their knowledge, shall knowingly permit any gambling, in their said house, the privileges, hereby granted, shall cease.
- Capital stock.** SECTION 2. That the capital stock of said corporation shall be one hundred thousand dollars, to be divided into shares of twenty-five dollars each, and said stock shall be held as personal estate.
- Board of managers.** SECTION 3. The government, and control of the management of the said corporation, shall be vested in, and the corporate powers shall be executed by, a board of seven managers, who shall be elected in such way and manner as the by-laws of said corporation may provide, and shall continue in office, until their successors are elected; they shall elect, from among themselves, a president, and also, a secretary and treasurer, who may be stockholders, or not, and supply all vacancies in their number; and until such officers are elected, the persons, named in the first section of this act, shall have full power, and authority, as such; the said corporation shall, by their by-laws, provide for the meetings of said board of managers and themselves, of the manner of holding elections, and voting, and such other rules and regulations, as may be necessary for the management of said corporation, not inconsistent with the laws of the United States, or of this commonwealth.
- Officers.**
- Vacancies.**
- Corporators to act as officers, until election.**
- By-laws.**
- Authorized to borrow money.** SECTION 4. That the said corporation shall have power to borrow money, to an amount, not exceeding the capital stock, and to issue bonds therefor, for such amount, at a rate of interest, not exceeding seven per centum per annum, and to sell the same, at such rate of discount, as said board of managers shall determine; and it shall be lawful for said corporation to secure payment of said bonds, by a mortgage, or mortgages, executed in due form, in their corporate name of said corporation, and under its corporate seal, to trustees, to be named therein, on the lot or lots of ground, hotel and other buildings, erected, or to be erected thereon, franchises, and all property, real and personal, of said company, and the revenues, rents, issues and profits thereof, as they may deem best.
- Bonds to be secured by mortgage.**

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 638.

**A Supplement**

To the act to incorporate the town of Rochester, in the county of Beaver, into a borough, approved March twenty, one thousand eight hundred and forty-nine.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the ninth section of said act of incorporation, so far as the same relates to the collection of taxes, by the high constable of said borough, is hereby repealed.

Repeal of provision authorizing high constable to collect taxes.

**SECTION 2.** That the town council of said borough shall, hereafter, have the power to appoint, annually, or as often as may be necessary, some suitable person, as collector of taxes, of said borough; and the chief burgess thereof, or in case of his absence, or inability to act, the assistant burgess, is hereby authorized and empowered to issue his precept, directed to said collector, commanding him to collect all taxes assessed, from time to time, under the authority of said act of incorporation, and the same to pay over to the treasurer of said borough; but said collector shall, before entering on the duties of his appointment, give bond, with sufficient security, for the faithful performance of the same, in such sum and form as said town council may require and approve.

Collector to be appointed by council.

To give bond.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 639.

**An Act**

Relating to the Wildwood Cemetery, in the county of Lycoming.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

**Commissioners appointed to locate a road.** That Robert Montgomery, Charles Stewart and Edward D. Trump, be and they are hereby appointed commissioners, to locate a road, or public highway, to lead from the public road, at, or near, the run, on the east side of Samuel Burger's barn, in Loyalsock township, to intersect the public road, at, or near, the house of John Ginninger, in said township.

**Duties of commissioners and supervisors.** SECTION 2. That the said commissioners, or a majority of them, shall, within twenty days after the passage of this act, or as soon thereafter as possible, and after being duly sworn, or affirmed, to perform the duties herein enjoined, proceed to view and lay out the said road; and they, or a majority of them, shall return the same, within ten days after said view, with a draft thereof, to the clerk of the court of quarter sessions of Lycoming county, which report, when so made and filed, in said court, shall be final and conclusive; and the supervisors of said township shall, within ten days after the filing of said report, and notice thereof, proceed to open and construct the same, without delay, of the width of thirty-three feet, conforming the same to the location and grades, as determined by said commissioners, and which road, when so opened, shall be deemed a public highway, and shall be kept in repair, as other public highways; the said commissioners shall, also, assess the damages, if any, to the owners, through whose land the road runs, and annex a statement of the same to their report; which damages, when confirmed by the court, shall be paid, in like manner as damages assessed for other public roads; and if any one, or more, of the commissioners shall neglect, or refuse, to serve, or if a vacancy shall occur,

**Damages, how to be assessed.**

**Vacancies to be filled by court.**

from any cause, the court of quarter sessions of said county, or any one of the judges thereof, in vacation, shall, upon application of any person, or persons, interested in said road, appoint one, or more, persons, to fill such vacancy, or the place of such person, or persons, so refusing or neglecting to serve.

**The Wildwood Cemetery Co. may construct the road, in case of neglect by supervisors. Expenses. Proviso.**

**Proviso.**

SECTION 3. In case the supervisors of said township neglect, or refuse, to open said road, as hereinbefore provided, it shall and may be lawful for the Wildwood Cemetery Company to proceed to open and construct the same, or so much thereof as they may deem necessary, and charge the expenses thereof to the said township, to be recovered in like manner as other debts of like amount are, by law, recoverable: *Provided*, The whole expense, so incurred, shall not exceed five hundred dollars: *And provided further*, That it shall and may be lawful for the said supervisors to contract, for the opening and construction of the same, with such person, or persons, and for such price, as they may agree.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 640.

**An Act**

To lay out a State road in Schuylkill and Lebanon counties.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel Filbert, of Schuylkill county, and Thomas G. Seltzer, and William W. Murray, of Lebanon county, be and they are hereby appointed commissioners, to view and lay out a state road, from a point leading from the terminus of a certain road, already constructed, through Swope's valley, in Pine Grove township, Schuylkill county, to the Lebanon county line, near Gottlieb Eckler's, and from thence about one half mile through Bethel township, Lebanon county, to the Schuylkill county line, and from thence through the edge of Schuylkill county, about one mile, to the state road, leading from Pine Grove, in Schuylkill county, to Harper's tavern, in Lebanon county.

Commissioners.

Route.

**SECTION 2.** That it shall be the duty of said commissioners, as soon as practicable, having first been sworn, or affirmed, before a justice of the peace, or other proper officer, to perform the duties enjoined upon them, by this act, with impartiality and fidelity, which said oath, or affirmation, shall be filed in his office, by the said justice of the peace, or other proper officer; carefully to view the ground, and lay out the said road, having respect to the ground, and shortest distance, so as best to promote the public good, and do the least injury to private property; and they shall clearly and distinctly mark upon the ground the route agreed upon, so as to enable the supervisors to readily find the same.

Duties of commissioners.

**SECTION 3.** That it shall be the duty of the commissioners, as aforesaid, to make out two separate and accurate drafts of the location of said road, respectively noting the courses and distances, as they occur, with such other matters as may serve for explanation; one copy to be deposited in the office of the clerk of quarter sessions, in the respective counties through which the road may pass, on, or before, the first day of August next, and, from thenceforth, the said road shall be a public highway, and shall be opened to a width of thirty-three feet, and to be made and repaired as all other roads, laid out by the courts, are made and repaired.

Drafts.

**SECTION 4.** That the commissioners shall proceed, as soon as practicable, to complete the location of said road, and if any vacancy occur in their number, by death, or resignation, or otherwise, the same shall be supplied by the remaining commissioners, selecting suitable persons to constitute a board of at least three members.

Vacancies.

**SECTION 5.** That it shall be the duty of the supervisors, of the several townships, through which said road may pass, upon

Duty of supervisors.

notice given, to proceed to open and make said road, under the same provisions as if the said road had been laid out by the respective courts of quarter sessions.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 641.

## An Act

To incorporate the Shippensburg and Roxbury Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners. That William M'Clellan, John Wunderlich, Henry Ruby, Thomas P. Blair, Dr. Alexander Stewart and John M'Pherson, of Cumberland county, and Thomas Pomeroy, Samuel Sentman, Morrow R. Skinner, James Ferguson, Josiah Ficks, Abram Angle, David Hays, John E. Maclay, John Newcomer, Wm. M'Clellan, David C. Boyer, William A. P. Linn, Jacob Fogellsmyer, Samuel Bitner and John Wyncoop, of Franklin county, and their associates, or any five of them, be and are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, by the name, style and title of the Shippensburg and Roxbury Turnpike Road Company, with power to locate and construct a turnpike road, beginning at, or near, the borough of Shippensburg, in the county of Cumberland, and thence by the best and most practicable route to the village of Roxbury, in the county of Franklin, to be thirty-three feet wide, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto, so far as they are not inconsistent with this and the following sections.

Title. SECTION 2. That the capital stock of said company shall

Route. *Provided,* That the said company may, by a vote of the stockholders, at a meeting called for the purpose, increase the capital stock so much as may be necessary to complete the said road, and to carry out the true intent and meaning of this act.

Subject to.

Capital stock.

Proviso.

SECTION 3. That whenever said company shall have finished said road, they may erect gates thereon, and have the power to collect toll, and shall not be liable for a fractional part of a cent, in making change. Authorized to receive tolls.

SECTION 4. That the said company may use all or such parts of streets, or public township roads, existing between the points aforesaid, as shall be deemed practicable and beneficial to the interests of the said company. May use streets and public township roads.

SECTION 5. That if the said company shall not commence the construction of their road, within three years, and complete the same, within five years, from the passage of this act, then this act shall be null and void, except so far as may be necessary to settle the affairs, and pay the debts, of the said company. When road to be commenced and completed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 642.

## An Act

To incorporate the Conshohocken Mills Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Joseph W. Bullock, George Bullock, William B. Bullock, David S. Winebrenner, Edwin A. Hendry, and Joseph Pilling, of the city of Philadelphia, and James Boyd, of the county of Montgomery, and such other persons as shall be associated with them, and their successors, be and the same are hereby erected into a body corporate and politic, by the name, style and title, of the Conshohocken Mills Company, with a capital stock of five hundred thousand dollars, with power to increase the same to eight hundred thousand dollars, to be divided into shares of one hundred dollars each. Corporators. Title. Capital stock.

SECTION 2. That the affairs of said company shall be managed by a board of seven directors, one of whom shall be the president, who shall be chosen by the stockholders; the first election shall be held at such time as the said commissioners, or a majority of them, shall fix; of which election public notice shall be given, at least three weeks, in one newspaper. Election of directors. Notice.

	per, published in the county of Montgomery ; and subsequent elections shall be held, at such time and place, annually, as the directors shall determine, of which the same notice shall be given ; all elections shall be held by ballot, and every share of stock, subscribed and paid in, shall entitle the holder to one vote.
Votes.	
Seal.	SECTION 3. That this corporation shall have authority to hold and use a common seal, and the same to change, alter, or amend, at pleasure, and by the style and title, aforesaid, shall be capable, in law, to sue and be sued, before any court, or justice of the peace, in this commonwealth, may do and may make all needful rules, regulations and by-laws, for the well ordering of the business and affairs of the corporation, so that the same shall in no wise conflict with, or be contrary to, the laws and constitution of this commonwealth, or of the United States.
By-laws.	
Authorized to hold lands, &c.	SECTION 4. That the said corporation, by the name aforesaid, may hold, in the said county of Montgomery, lands, with improvements, not exceeding, at any one time, three hundred acres, with power to mortgage, sell, lease, or otherwise dispose of, the same, or any part thereof ; and the capital of the company may be employed in making and manufacturing woolen, cotton, or other kind of goods, or fabries, in mining iron ore and stone, and transporting and vending the same, and for such other objects as are necessary, in the prosecution of said business ; but nothing, herein contained, shall be construed to authorize said corporation to exercise banking privileges.
How capital to be employed.	
Prohibition.	
Stock transferable.	SECTION 5. That the stock of said company shall be transferable, agreeably to the by-laws, which may be adopted by the directors, and that dividends may be declared and paid, whenever the directors deem it advisable ; but said dividends shall, in no case, exceed the amount of actual net profits, acquired by the corporation ; and the said company shall pay, into the treasury of the state, a bonus of one-half of one per centum, on the said capital stock of five hundred thousand dollars, and such increase, in four equal, annual, instalments, the first whereof shall be paid, within one year from the date of the issue of letters patent, herein provided for.
Dividends.	
Bonus.	
When act to take effect.	SECTION 6. That this act shall not take effect until at least one thousand shares shall have been subscribed for, and at least one half of that amount have been paid in ; of which a statement, containing the names of the subscribers, and the amount subscribed for by each, shall be given to the governor, to be filed in the office of the secretary of the commonwealth ; whereupon, the governor shall issue letters patent to the said subscribers.
Letters patent.	
Individual liability.	SECTION 7. That the stockholders of said company shall be, individually, liable, jointly and severally, for debts due mechanics, workmen and laborers, employed by said company, to be sued for and collected, as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three : <i>Provided</i> , That no stockholder shall be held in-
Proviso.	

dividually liable for any such debt, unless sued for, within six months after such debt shall have been contracted.

SECTION 8. That in case of failure to hold an election, under this act, the former directors shall continue in office, until their successors be duly elected; and in case of resignation, or death, of the president, or any director, the remaining directors shall elect a person, or persons, to serve until the next election.

Failure to hold election, relative to.  
Vacancies.

SECTION 9. That this charter shall continue in force, for the term of twenty years from the date of the letters patent, and no longer, unless extended by an act of the legislature, except for the purpose of winding up its affairs; and the legislature reserves the right to amend, alter, or repeal, the same at any time; in such manner, however, as shall do no injustice to the corporators.

Limitation.  
Reservation.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 643.

## A Supplement

To the act incorporating the Malleable Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of directors for said company shall not exceed seven; and all acts, or parts of acts, incorporating said company, inconsistent with the provisions of this act, be and the same are hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 644.

## An Act

To repeal the eighth section of the act of April eleventh, one thousand eight hundred and sixty-two, entitled "A further supplement to an act for the regulation and continuance of a system of education by common schools," approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the eighth section of the act of April eleventh, Anno Domini one thousand eight hundred and sixty-two, entitled "A further supplement to the act, entitled, 'An Act for the regulation and continuance of a system of education by common schools' approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four," be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 645.

## An Act

To authorize John B. Hinds, of Wysox township, and Reuben R. Palmer, of Le Roy township, in the county of Bradford, to collect certain taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the warrants issued by the county commissioners, of Bradford county, to John B. Hinds, for the collection of state, county and military taxes, and the warrants issued by the authorities of Wysox township, for the collection of school



and township taxes, for the years one thousand eight hundred and sixty, sixty-one and sixty-two; and the warrants issued to Reuben R. Palmer, for the collection of state and county taxes, and the warrant issued by the authorities of Le Roy township, for the collection of township and school taxes for the years one thousand eight hundred and sixty-one and sixty-two, be and the said warrants are hereby respectively renewed and continued in full force and virtue, for and during the term of two years from the date of the passage of this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 646.

## A Supplement

To the act to authorize the commissioners of Chester county to borrow money, and pay bounties to volunteers, approved March eleventh, one thousand eight hundred and sixty-four.

WHEREAS, The commissioners of Chester county paid bounties to part of the men, who volunteered from said county, to assist in repelling the invasion into the state, by the rebel army, in the summer of the year one thousand eight hundred and sixty-three, at the rate of fifteen dollars per man, which said action was legalized, and made valid by the act, to which this is a supplement: therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Chester county are hereby authorized to pay to every non-commissioned officer and private, who volunteered from the county aforesaid, to repel said rebel invasion, a bounty of fifteen dollars: *Provided*, Such officer, or private, had not received a bounty for such service from the commissioners aforesaid: *And provided further*, That such officer, or private, was a resident of said county, at the time of volunteering; the discharge of such officer, or private, to be sufficient evidence of such service.

Commissioners authorized to pay bounties to certain volunteers.

Proviso.

Proviso.

SECTION 2. That it may be lawful for the orphans' court, or court of common pleas, as the case may be, of the proper county, if, in their judgment, it may be expedient, to direct

Courts may direct investment of moneys, held in trust, in bonds issued.

the investment of any moneys, held in trust, by any executor, administrator, guardian, or other trustee, in the bonds authorized by law to be issued, by the county of Chester, for the payment of bounties to volunteers.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 647.

## An Act

To incorporate the Coal Ridge Improvement and Coal Company.

Corporators.	<i>SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i>
Title.	That Samuel C. Ford, Thomas Drake and Joseph T. Ford, or a majority of them, and their associates, successors and assigns, be and they are hereby constituted a body corporate and politic, by the name, style and title, of the Coal Ridge Improvement and Coal Company, and by that name, shall have
Powers and privileges.	power to take, hold, convey, mortgage, lease, mine and vend, and convey to market, the products of a body of land, in the counties of Columbia and Northumberland, not exceeding, in quantity, at any one time, four thousand acres; and the said company shall have the same powers, liberties, privileges and
Subject to.	immunities, conferred, and be subject to the same terms and conditions, as are imposed upon the Fishing Creek Improvement Company, incorporated by an act of assembly, passed the nineteenth day of February, one thousand eight hundred and sixty one, and the supplements thereto, where the same are not inconsistent with, or altered, or supplied, by this act:
How capital to be employed.	<i>Provided however,</i> That the company, hereby created, is hereby fully and further authorized, to employ such portion of their capital, as may be necessary, in mining coal, and other minerals, and in transporting to market, and in vending, the products of their lands, mines and manufactures, and in dealing in such articles of personal property, as may be necessary to enable them successfully to carry on their operations aforesaid, anything contained in the acts, herein referred to, to the contrary notwithstanding: <i>Provided,</i> That this corporation shall pay, into the treasury of the commonwealth, a bonus
Bonus.	

of one-half of one per centum, on the capital stock, hereby authorized, or hereafter created, in four equal, annual, instalments, and such taxes, on dividends, as is, or may be, provided by law; and the stockholders, of said company, shall be individually liable for all debts due mechanics, workmen and laborers, employed by said company, and for all materials and provisions, furnished to said company, to be sued for and collected, as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

Tax on dividends.  
Individual liability.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 648.

## An Act

Authorizing and requiring the supervisors of Jackson township, Lebanon county, to assess a tax, sufficient to macadamize a certain road in said township.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supervisors of Jackson township, in the county of Lebanon, are hereby authorized, and required, to assess and collect sufficient tax, the present year, to macadamize the public road in said township, leading from the Berks and Dauphin turnpike road, in the town of Myerstown, at Manderbich's tavern, to the station of the Lebanon Valley railroad, in a width of twenty feet; and a depth of fourteen inches.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 649.

**An Act**

To incorporate the Quaker Run Improvement Company.

<b>SECTION 1.</b>	<i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i>
<b>Corporators.</b>	That Thomas Baumgardner, David M. Lebkicker, Benjamin F. Shenk, Richard B. Douty and William H. Douty, and such other persons as shall be associated with them, their successors and assigns, be and the same are hereby enacted with a body politic and corporate, in deed and by law, with all the powers and privileges incident to, and by law, pertaining to, a body politic and corporate, by the name, style and title, of the Quaker Run Improvement Company, with a capital of two hundred and fifty thousand dollars, with power to increase the same to four hundred thousand dollars, to be divided into shares of twenty-five dollars each.
<b>Title.</b>	
<b>Capital.</b>	
<b>Election of directors.</b>	<b>SECTION 2.</b> That the affairs of said company shall be managed by a board of five directors, one of whom shall be president, who shall be chosen by said directors; the first election shall be held at such time and place as the said corporators may determine upon, of which election two weeks' public notice shall be given, in one, or more, newspapers, published in the county of Northumberland; and subsequent elections shall be held at such time and place, annually, as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every share of stock subscribed, and paid in, agreeably to the by-laws of said company, shall entitle the holder to one vote.
<b>Notice.</b>	
<b>Votes.</b>	
<b>Seal.</b>	<b>SECTION 3.</b> That said corporation, by the name aforesaid, shall have authority to hold and use a common seal, and the same to change, alter, or amend, at pleasure; and by the name aforesaid, shall be capable, in law, to sue and be sued, and may make such regulations and by-laws, for the well ordering of the affairs of said corporation, as the directors may deem necessary and expedient, so that the same shall not conflict with the constitution and laws of this commonwealth.
<b>By-laws.</b>	
<b>Authorized to hold coal lands, &amp;c.</b>	<b>SECTION 4.</b> That said corporation, by the name aforesaid, may purchase and hold coal lands, in the county of Northumberland, not exceeding, at any one time, one thousand acres, with power to mortgage, sell, lease, or otherwise dispose of, the same, or any part thereof; and the capital of said company may be employed in mining, vending, and transporting to market, the product of their lands, and in such other objects as may be considered necessary and expedient, in the prosecution of said business; but nothing, herein contained, shall be construed to authorize said corporation to exercise banking privileges.
<b>How capital to be employed.</b>	
<b>Prohibition.</b>	

SECTION 5. That dividends may be declared and paid semi-annually, or annually, as the directors may order. **Dividends.**

SECTION 6. That this act shall not take effect, until two thousand shares shall have been subscribed, and paid in, a statement of which, containing the names of the subscribers, and the amount subscribed by each, verified by the oath, or affirmation, of some one of the subscribers, shall be furnished to the governor, to be filed in the office of the secretary of the commonwealth; whereupon, the governor shall issue letters patent to the corporators. **When act to take effect.** **Letters patent.**

SECTION 7. That subscriptions to the stock may be paid in part, or in whole, in real estate, appropriate to the business contemplated by this act, at a *bona fide* cash valuation, to be agreed upon by a majority of the subscribers and stockholders. **Subscriptions to stock, how to be paid.**

SECTION 8. That the said corporation shall pay to the state treasurer, for the use of the commonwealth, one-half of one per centum, upon the amount of the capital stock subscribed, and paid in, payable in four equal, annual, payments, after the issuing of said letters patent, and that the dividends of said company shall be subject to such taxation as is imposed upon other like corporations, by the general laws of this commonwealth. **Bonus.** **Tax on dividends.**

SECTION 9. That the stockholders, in said corporation, shall be individually liable to all the provisions, with regard to individual liability, contained in an act, entitled "An Act to encourage manufacturing companies in the commonwealth," approved the seventh day of April, Anno Domini eighteen hundred and forty-nine, and the several supplements thereto. **Individual liability.**

SECTION 10. That said corporation shall have the right to borrow any sum, or sums, of money, not exceeding the one-half of their authorized capital, and to issue bonds, or certificates of loan, therefor, with, or without, coupons attached, and give to such bonds, or certificates, such preference and security, by mortgage, or otherwise, as the directors of said company may deem expedient: *Provided*, That no bond, or certificate, shall be issued for a less sum than one hundred dollars, and that the interest, payable on the same, shall not exceed seven per centum per annum. **May borrow money and issue bonds therefor.** **Proviso.**

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 650.

**A Supplement**

To an act to incorporate the Local Telegraph Company, approved the twenty-seventh day of April, one thousand eight hundred and sixty-four.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the capital stock of the Local Telegraph Company is hereby increased to one hundred and fifty thousand dollars.

**HENRY C. JOHNSON,**

Speaker of the House of Representatives.

**JOHN P. PENNEY,**

Speaker of the Senate.

**APPROVED**—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

**A. G. CURTIN.**

No. 651.

**An Act**

To incorporate the Renovo Gas and Water Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

**Commissioners** That Edward F. Gay, G. B. Roberts, Edward Miller, H. F. Beardsley, William G. Moorhead, James D. Potts, H. P. Rutter, Edmund Smith, C. B. Wright, S. F. Black, W. W. Lawrence and Joseph Pancoast, be and they are hereby appointed commissioners, to organize a company, by the name

**Title.** and title of the Renovo Gas and Water Company, with a capital

**Capital stock.** stock of one hundred thousand dollars, for the purpose of supplying the town of Renovo, in Clinton county, with gas and water.

**Subscriptions, relative to.** **SECTION 2.** That the capital stock of the said company shall be divided into shares of fifty dollars each; and any corporation, except municipal corporations, may subscribe to the same;

**Privileges.** and the said company shall be organized, with corporate privileges, in the manner prescribed by and under the provisions

of the act to provide for the incorporation of gas and water companies, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 652.

## An Act

To postpone the time of holding the August term of the several courts of Perry county, for the year Anno Domini one thousand eight hundred and sixty-four.

WHEREAS, The first Tuesday of August, Anno Domini one thousand eight hundred and sixty-four, has been fixed upon, by an act of the general assembly, as the time, at which the proposed amendments to the constitution of the state of Pennsylvania shall be submitted to a vote of the people :

And whereas, The election for the borough of Bloomfield, and the township of Centre, in the county of Perry, is held in the court house, in the aforesaid borough of Bloomfield :

And whereas, further, The next term of the several courts of Perry county, would, by existing laws, be held, commencing on the first Monday of August, Anno Domini one thousand eight hundred and sixty four, thereby either preventing a full vote on the aforesaid amendments, or causing great inconvenience to parties, witnesses, et cetera, required to attend the said several courts, or rendering necessary an adjournment of the said courts, and thereby adding great additional costs to the said county ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the August term of the several courts of Perry county, for the year Anno Domini one thousand eight hundred and sixty-four, shall be holden, commencing on the third Monday of August, of said year, instead of the first Monday of August, as heretofore ; and that all writs, or process, of whatever kind, heretofore issued, or that may hereafter be issued, by the said several courts, returnable to the first Monday of August, one thousand eight hundred and sixty-four, shall be good and valid, to all intents and purposes, if returned to the

third Monday of August, Anno Domini one thousand eight hundred and sixty-four; and that all recognizances, heretofore, or that may hereafter be, entered into, shall continue in force, and remain binding on the parties thereto, until the said third Monday of August; and generally, all business, transacted by the said courts, during the week, commencing on said third Monday of August, shall be as valid, in all respects, as if that had been the regular time for the commencing of the said courts, and all writs and process had been issued returnable thereto.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 653.

## Supplement

To an act, entitled "An Act to provide for the erection of a house, for the employment and support of the poor, in the county of Allegheny," approved the twenty third day of April, Anno Domini one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That, hereafter, the style and title of said corporation shall be Allegheny County Home, instead of the directors of the poor and of the house of employment, for the county of Allegheny.

Title changed.

Directors authorized to extend relief, without orders.

SECTION 2. That the directors of said corporation, or either of them, are hereby authorized and empowered, to extend relief to all poor persons, entitled to receive the same, without an order, as provided for in sixth section, of the act of June fifteenth, Anno Domini one thousand eight hundred and thirty-six, relating to the support and employment of the poor; and any such relief, heretofore provided, is hereby made valid.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 654.

*An Act*

To authorize the school directors, of the North ward, of the borough of Meadville, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors, of the North ward, of the borough of Meadville, be and they are hereby authorized to borrow money, upon the faith and credit of the said North ward, of the borough of Meadville, to an amount, not exceeding twenty thousand dollars, for the purpose of procuring and ornamenting grounds, and building a public school house in said North ward, of the borough aforesaid, for common school purposes; and the said school directors are authorized to execute and issue bonds, signed by the president and secretary, and payable in not less than two years, and not exceeding twenty, at the discretion of said board and their successors, with interest coupons, payable semi-annually, to an amount sufficient for the purposes aforesaid, not exceeding, in amount, the said sum of twenty thousand dollars; and the said school directors are hereby authorized to levy a special tax, annually, upon all persons, occupations and property, now subject to taxation, for common school purposes, not exceeding, in amount, in any one year, the amount now authorized, by law, for common school purposes.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 655.

*An Act*

Relative to the Bloomsburg Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That upon the payment of the enrolment tax, within thirty days from the date hereof, upon an act to extend the charter of the Bloomsburg railroad iron company, approved the twenty-first day of April, one thousand eight hundred and fifty-eight, the said act shall have and take the same effect, in all respects, as if the same had been paid in the year one thousand eight hundred and fifty-eight.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 656.

## An Act

Relating to assignments in trust for creditors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Assignor may, after appraisement, apply to court to set aside furniture, &c., to the value of three hundred dollars.

That any assignor, under whose assignment in trust, for the benefit of creditors, either by general words, or particular description, there have been transferred any articles of household furniture, or things of domestic use, may, after the appraisement thereof, apply to the court of common pleas, of the proper county, to have set aside, for the use of the said assignor and family, any of the said articles and things, not exceeding in value, at the appraisement thereof, three hundred dollars; and the court may, if no cause be shown to the contrary, after due notice to creditors, order that the same be released from the assigned estate, and handed to the assignor.

Assignee to re-convey, upon report of auditor, &c., that undisputed claims have been paid, or released, and security given for claims in dispute.

SECTION 2. Whenever it shall be made to appear, to the satisfaction of the court having jurisdiction of the accounts of an assignor, under any assignment in trust for creditors, either upon the report of an auditor, or otherwise, after notice, by advertisement, for such length of time as may be ordered by the court, that all the undisputed claims, upon the assigned fund, or estate, have been paid, or released, and security, to the satisfaction of said court, as hereinafter set forth, shall be given for payment of any and all claims in dispute, the said court may order and direct the assignee to re-convey, to the assignor, all the assigned estate remaining in his hands and possession, and all outstanding interest, in the assigned es-

tate; and the deed of re-conveyance shall be acknowledged in open court, and entered among the records thereof; and thereupon, the said estate shall be holden free and discharged from any and all of the trusts of said assignment.

Deed of re-conveyance to be acknowledged.

SECTION 3. The security, required by this act, shall be by deposit of money, or of sufficient and available securities for money, under the direction of the court, or by mortgage on real estate, which shall enure to the benefit of the parties interested, who may sue for the same, in the name of the commonwealth, in like manner as official bonds are sued.

Nature of security required.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 657.

## An Act

Relative to the Cleveland and Mahoning Railroad Company.

WHEREAS, By an act of assembly, of the general assembly of the state of Ohio, passed February twenty-second, one thousand eight hundred and forty-eight, entitled "An Act to incorporate the Cleveland and Mahoning Railroad Company," and also, an act of the said general assembly, passed March twenty-first, one thousand eight hundred and fifty-one, entitled "An Act to amend the act, entitled 'An Act to incorporate the Cleveland and Mahoning Railroad Company,'" the said Cleveland and Mahoning Railroad Company were required to organize said company, within three years, and complete, at least, ten miles of said road, within seven years from the passage of said act, or the act creating said company should be void:

And whereas, By an act of assembly, of this commonwealth, approved February eleventh, Anno Domini one thousand eight hundred and fifty-three, entitled "An Act to incorporate the Cleveland and Mahoning Railroad Company," the said company were authorized to extend their said road into the state of Pennsylvania, to some point on the Ohio and Pennsylvania railroad, in the county of Lawrence; and also, to construct a branch, from the main stem of said road, to the borough of New Castle, in said county of Lawrence, subject to all the provisions, conditions and restrictions of the said recited laws

of the state of Ohio, and, also, subject to all the laws of the commonwealth of Pennsylvania, in all matters and things, which may, in any way, relate to, or concern, the exercise, or abuse, of the rights, privileges, powers and franchises, granted by said acts; and also providing, that the Cleveland and Mahoning Railroad Company shall be subject to, and under, the control of the proper authorities of the state of Pennsylvania:

*And whereas,* The said Cleveland and Mahoning Railroad Company have not, as yet, completed, at least, ten miles of their road, in the state of Pennsylvania, nor any part, or portion, thereof, and have not let, or contracted, said road, or broke ground, in any part thereof, or located any line, or lines, for the construction thereof, in this commonwealth, though more than seven years have elapsed since the incorporation of said company, in this state; but have leased that portion of their road in the state of Ohio, alone, to another company, for the period of ninety-nine years:

*And whereas,* The Lawrence Railroad and Transportation Company, a company incorporated by the commonwealth of Pennsylvania, is desirous to construct a road, on the route covered by the said Cleveland and Mahoning Company's charter, and therefore is unable to locate and construct their said route, owing to the pre-occupation of said charter, which operates to the injury of the citizens of this commonwealth, in the said county of Lawrence: therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the rights, powers, privileges and franchises, of every nature and kind, whatsoever, authorized, or created, by the act of assembly, approved the eleventh day of February, one thousand eight hundred and fifty-three, incorporating the Cleveland and Mahoning Railroad Company, and all supplements thereto, so far as the same, or any of them, shall, or do, authorize the construction of said company's railroad, within the state of Pennsylvania, be and the same are hereby revoked, annulled and repealed, and the rights, privileges and franchises, granted by said act, resumed by the commonwealth of Pennsylvania: *Provided,* That no injustice be done to the corporators of said Cleveland and Mahoning Railroad Company.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 658.

**An Act**

Relating to the taxing of unseated lands in Berks county.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the passage of this act, it shall be lawful for the collector, or collectors, of the state and county taxes, in Berks county, or the collector of the school and road tax, of the several townships of said county, annually, on the first day of April, of each and every year, to sell, at public sale, at the nearest public house to the premises, the real estate of all non-residents, who, previous to the passage of this act, have not paid, to the several collectors, either the state, county, school, or road tax assessed upon the same: *Provided*, That no sale shall be made and had, under this act, for any taxes due over ten years, prior to the date hereof.

Collectors authorized to sell real estate of non-residents, who have not paid taxes.

Proviso.

*SECTION 2.* That before a sale of lands of delinquent non-resident tax-payers can be made under this act, it shall be the duty of the collector, or collectors, of either the state, county, school and road, tax, of the township where said land is situated, to advertise the taxes due upon the same, stating their amount, and whether for state, county, school, or road purposes, in two newspapers, one English, and one German, published in Berks county, for at least three full calendar months, previous to the day of said sale.

Taxes due to be advertised for three months previous to sale.

*SECTION 3.* That the collector, or collectors, aforesaid, after having given the notice aforesaid, and having sold the premises to the highest and best bidder, shall deliver, to the county treasurer, a deed, in common form, (briefly setting forth therein his proceedings under this act,) for the purchaser, or purchasers, of said land, which said deed is to remain in the hands of said treasurer, for a period of one year after the sale of said land; and if, at any time before the expiration of said year, the owner, or owners, of said lands, or any one, on his, her, or their behalf, re-pays, to the purchaser, or purchasers, the purchase money, together with interest, and all costs and charges, in making said sale, then the county treasurer shall cancel said deed, so made, as aforesaid, and deliver the same to the owner of the premises sold; otherwise, deliver the same to the purchaser, at the collector's sale; which said deed, so made and delivered, as aforesaid, and recorded, shall be as good and valid, in law, as if the owner, or owners, of the premises, therein described, had conveyed the same; any law to the contrary notwithstanding.

Collector to deliver, to county treasurer, a deed for the purchaser.

Owner may re-pay purchase money, interest, costs, &c., within one year after sale.

*SECTION 4.* That the moneys, arising from the sale, so made, as aforesaid, shall be paid to the county treasurer, by the collector, or collectors, or the purchaser, within ten days after each sale, from whom, the collectors of the different taxes are

Moneys arising from sale to be paid to county treasurer.

Balance, after payment of taxes, to remain in treasury.

alone authorized to receive the taxes, severally, on them; should there be any money remaining, of the purchase money, after the payment made, as aforesaid, the same shall remain in the county treasury, and a record kept of the same, and be used for county purposes, without interest, and shall only be paid to the persons legally entitled thereto, upon ten day's written notice to the treasurer.

Collectors to file copy of proceedings.

SECTION 5. That the collector, or collectors, making sales, under this act, shall, within ten days, file a copy of the proceedings had under this act, in the commissioners' office, of Berks county, certified, by oath, or affirmation, under a penalty of fifty dollars, to be recovered for the use of the county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 659.

## A Further Supplement

To the act of April third, eighteen hundred and thirty, relating to landlords and tenants, for the counties of Mercer or Lawrence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That whenever any person, or persons, shall be the tenant, or lessee, of any house, or tenement, belonging to another, in the counties of Mercer or Lawrence, and occupies the same, under an agreement, verbal, or written, to perform labor, or services, for the owner, or owners, of said house, or tenement, in addition to the rent reserved for the use of said house, or tenement, whilst he, or they, shall so occupy the same, and shall, during such occupancy, refuse, or neglect, to perform such labor, or render such service, it shall and may be lawful for such owner, or owners, his, her, or their, agent, or attorney, to dispossess such tenant, or tenants, in the manner now provided by the first section of the act of April third, Anno Domini eighteen hundred and thirty, and the supplements thereto, after giving seven days' notice to said tenant, or tenants, to surrender the possession of the house, or tenement, in his, her, or their, possession, and on due proof to the said justice of the neglect of said tenant, or tenants, to per-

form such labor, or render such service, according to the agreement, the said justice shall have power to declare the lease, by which any such house, or tenement, is held, be absolutely null and void.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 660.

## An Act

To authorize the sale of the real estate of the Indiana Academy, in the borough of Indiana.

WHEREAS, The Indiana academy, situated in the borough of Indiana, in the county of Indiana, has ceased to be used for the purpose for which it was erected, and the buildings, belonging thereto, have become dilapidated :

And whereas, The board of trustees, having long since ceased to exist, it is, therefore, desired by the tax-payers, of the said borough of Indiana, that the school directors, of the common school of said borough, should be authorized to sell the same :

And whereas, It is believed that the court of common pleas, of Indiana county, does not possess power, under existing laws, to order a sale of the same, because a considerable sum of money was originally appropriated to said institution, by the commonwealth ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the school directors, of the common schools, of the said borough of Indiana, in the said county of Indiana, be and they are hereby authorized to sell, at public sale, to any person, or persons, being the highest and best bidder, or bidders, the grounds, buildings and appurtenances, of the said Indiana academy, situate at the south end of Clymer street, in the said borough of Indiana, and to make, execute and deliver, to the purchaser, or purchasers, thereof, a deed, in fee simple, for the said premises, and apply the purchase money, thereof, to the liquidation of the large debt, now existing and remaining unpaid, against the said borough of Indiana, by reason of

Preamble.

School directors authorized to sell.

How proceeds to be applied.

the erection and furnishing of the commodious building, now used, for the use of the common schools of the said borough.

Repeal.

SECTION 2. That so much of the act, entitled "An Act to authorize the sale of the real estate of the Indiana academy, and Indiana Female seminary, in the borough of Indiana," or to the supplement thereto, as is hereby altered, or supplied, or as is inconsistent herewith, be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 661.

## An Act

To extend the act, approved on the fourth day of April, Anno Domini one thousand eight hundred and sixty-three, to the county of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the provisions of the act of the general assembly of this commonwealth, entitled "An Act relative to the draining of wet or spouty lands in certain counties," and approved on the fourth day of April, Anno Domini one thousand eight hundred and sixty-three, be and the same are hereby extended to the county of York.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 662.

*An Act*

Regulating the appointment of inspectors of the Western Penitentiary.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supreme court of this state shall, within three months <sup>Appointment of</sup> after the passage of this act, and every two years thereafter, <sup>inspectors, rela-</sup> appoint two taxable citizens, of the county of Allegheny, <sup>tive to.</sup> inspectors of the Western penitentiary, located in Allegheny city; and that the judges of the courts of common pleas and district court of the county of Allegheny shall, within three months after the passage of this act, and every two years thereafter, appoint three taxable citizens, of said county, inspectors of the said Western penitentiary; and in case of any vacancy by death, resignation, or otherwise, the court, having <sup>Vacancies.</sup> made the appointment, shall fill the vacancy thus occasioned.

SECTION 2. That the inspectors, thus appointed, shall, as <sup>Present board</sup> soon as organized, supersede the present board, and have all to be superse- the rights, power and privileges, already conferred upon the <sup>ded.</sup> present inspectors of said prison.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 663.

*An Act*

Authorizing the citizens of Palmer township, Northampton county, to issue bonds, and disburse the proceeds of the sale thereof, as bounties to volunteers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Walter, William Snyder and Valentine Mutchler,

Commissioners appointed.	of the township of Palmer, in the county of Northampton, and hereby appointed commissioners, for said township, and authorized to issue bonds, warrants, or certificates of indebtedness, of not less than twenty-five dollars, under their hands and seals, together with interest, at the rate of six per centum per annum, and to sell and dispose of the same, for a sum not less than their par value, and for the purposes hereinafter mentioned: <i>Provided</i> , That the value of the number of bonds, to be issued, shall not exceed the amount necessary for the purposes hereinafter mentioned: <i>And provided also</i> , That the said commissioners shall give bond, and deposit the same with the township auditors, with securities, to be approved of by the said auditors, in the sum of twenty-five thousand dollars, for the faithful discharge of their duties.
Authorized to issue bonds.	
Proviso.	
Commissioners to give bond.	
Payment of bounties authorized.	SECTION 2. That the said commissioners are hereby authorized to pay, out of the proceeds of the sale of said bonds, the sum of three hundred dollars, to each person who shall volunteer for, and be mustered into, the service of the United States, for and on account of the quota of the said township of Palmer, under the several orders and proclamations of the President of the United States, heretofore issued, and which may be issued subsequent to the first day of October, Anno Domini one thousand eight hundred and sixty-three.
Bounty to be paid to drafted men.	SECTION 3. That if a draft should be made, for the said township of Palmer, under the several orders and proclamations of the President of the United States then, in that event, the said commissioners are hereby authorized to pay, to each and every drafted man, the sum of three hundred dollars: <i>Provided</i> , He shall go and be mustered into the service of the United States, or shall furnish a substitute, who shall be mustered into said service.
Proviso.	
Tax to be levied.	SECTION 4. That the said commissioners are hereby authorized, for the purpose of redeeming the principal and interest of the said bonds, to assess and levy a tax, on all the real and personal property, and upon all such other subjects and things, in said township of Palmer, which are made taxable for state and county purposes, and to collect the same, in the manner hereinafter provided; that in addition thereto, a tax of five dollars shall be assessed, levied and collected, from each male citizen, who shall be an inhabitant of the said township, at the time the said tax is assessed: <i>Provided</i> , That all persons, who were heretofore drafted, under the act of Congress, and were mustered into the service, furnished a substitute, or paid their commutation money, shall be exempt from the payment of said poll tax: <i>Provided also</i> , That all persons, moving into the said township, after the first assessment shall have been made, under the provisions of this act, and who may be therein enrolled, and be liable to any subsequent draft, shall be liable to pay the poll tax hereinbefore provided: <i>Provided further</i> , That the amount of said taxes shall not exceed the amount of bonds issued, and such additional amount as may arise, from abatements, exonerations, costs and expenses, for issuing said bonds, and disbursing the proceeds thereof, and for assessing and collecting said tax, and disbursing the same.
Poll tax authorized.	
Persons exempt from poll tax.	
Proviso.	
Limitation as to amount of taxes to be levied.	

SECTION 5. That the said commissioners are hereby authorized to apply the proceeds of the said taxes, for the redemption of the said bonds, warrants, or certificates of indebtedness, and the payment of the costs and expenses, referred to in the fourth section of this act. How tax to be applied.

SECTION 6. That the said commissioners are hereby authorized to appoint a competent and suitable person, to collect said tax, who shall receive, for his compensation, a sum, not exceeding three per centum on the amount collected, and who shall be required to give bond, to the said commissioners, with sufficient security, to be approved by them, and deposited in their hands, and in such amount, as the said commissioners shall determine: *Provided*, That the said collector shall have the same power, to enforce the collection of said tax, as is now conferred by law on the collectors of the state and county taxes of this commonwealth: *And provided also*, That the said collector shall be required to collect and pay over said tax, less the abatements and exonerations, within such time as the commissioners shall determine. Collector to be appointed.  
Compensation.  
To give bond.  
Duties and powers.

SECTION 7. That upon the death, or resignation, of one, or more, of the said commissioners, the survivor, or survivors, shall fill the vacancy, or vacancies, thus caused, by appointment; and the said appointees shall enter into the same bond, as is hereinbefore provided; and a majority of the said commissioners shall constitute a board, for the performance of the duties of this act. Vacancies in board of commissioners, how to be filled.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 664.

## An Act

To validate the title of certain real estate of Benjamin Riegleman.

WHEREAS, The orphans' court of Berks county appointed Samuel Bayer guardian of Elmira Ritter, and Charles A. Kline guardian of Andora Ritter, minor children of the late John Ritter, of Greenwich township, said county, deceased, who gave a bond, each, in the sum of three thousand dollars, for the faithful discharge of their trust:

*And whereas,* The real estate of said decedent was sold, by the administrators, for the payment of debts, and the same was purchased, by the said guardians, for the said minors, for the sum of seven thousand five hundred and twenty dollars :

*And whereas,* Upon settlement of the estate of said decedent, the amount, coming to each of said minors, was only fifteen hundred and thirty dollars and sixty-two cents :

*And whereas,* It appearing to said guardians, that it would be for the interest of said minors to sell the real estate, so purchased by them, they, thereupon, sold the same, at private sale, to Benjamin Riegleman, at an advance of about five hundred dollars ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said guardians, as aforesaid, shall have authority, and are hereby authorized, to execute and deliver, to the said Benjamin Riegleman, upon payment of the purchase money, a proper and sufficient deed and conveyance, for the transfer and sale of said property, and that the deed and conveyance, so made, shall be good and valid : *Provided,* That said sale shall be approved and confirmed by the orphans' court of Berks county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 665.

## An Act

To authorize the supervisors of the township of White, in the county of Indiana, to collect the road taxes in said township, in money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the supervisors of the township of White, in the county of Indiana, in lieu of the road taxes, now authorized by law, to lay a rate of assessment, not exceeding one-half cent on the dollar, to be paid in money, upon real and personal estate, offices, trades and occupations, subject to road taxes, by existing laws, for the purpose of laying out,

Road taxes,  
how to be  
levied, &c.

opening, making, mending, or repairing, of roads and highways, and for the making, or repairing, of bridges, and for such other purposes as are, or may be, authorized by law.

SECTION 2. That it shall be lawful for the supervisors of said township of White, after causing fair duplicates to be made, of the rates, or assessments, by them laid, to collect, themselves, the road taxes, and for any, or either of them, to demand and receive from every person, in such duplicate named, the sum with which such person stands charged; and upon the neglect, or refusal, of any such person to make payment of the amount due by him, or her, within twenty days from the time of such demand, to obtain a warrant, and levy the goods and chattels of any person, who shall neglect, or refuse, to make payment of the same charged to him, or her, in the same manner, and subject to the appeal of any person aggrieved, and the stay thereon, as is provided by the act of fifteenth April, one thousand eight hundred and thirty-four, in the case of collectors of township rates and levies: *Provided*, That the said supervisors shall have given the bond, or the individual security, required by the act of sixteenth March, one thousand eight hundred and sixty.

Supervisors authorized to collect.

To give bond.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 666.

## A Further Supplement

To the several acts for the protection of Sheep, and taxing of Dogs, in the township of West Fallowfield, in the county of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the passage of this act, the assessor of state and county taxes, of the township of West Fallowfield, in the county of Chester, shall, immediately after he has performed his duties as assessor of dogs, in said township, take and subscribe the following oath, or affirmation, before a justice of the peace, in the county aforesaid, viz: I do—that I have, as assessor, made a true assessment of all the dogs, in the township of West Fallowfield, according to the provisions of

Assessor to take and subscribe certain oath, as to assessment of dogs.

the several laws of this commonwealth, "taxing dogs, for the protection of sheep," applicable to the said township, and that the following list is a true and correct one, of all the dogs in said township, and their respective owners, or of the persons upon whose premises the said dogs stay, or are harbored; which qualification shall be attached to the said list.

Compensation  
of.

Penalty for ne-  
glect of duty.

How dog tax to  
be collected, &c.

Proviso.

Penalty for ne-  
glect of duty by  
collector.

Owners of sheep  
required to  
have bell on  
every fifth  
sheep.

Dogs to be per-  
sonal property.  
Proviso.

Penalty for  
stealing dogs.

SECTION 2. That the said assessor shall be paid, out of the sheep fund, raised by the taxing of such dogs, the sum of five cents per head for every dog assessed in said township; and any neglect, or refusal, to assess the dogs, or any dog, in said township, by the assessor aforesaid, shall be deemed a misdemeanor, and liable to be punished by fine, not exceeding the sum of five dollars, for each and every offence, to be recovered before any justice of the peace, to be prosecuted by the auditors of said township, upon the complaint of one, or more, reputable citizens thereof.

SECTION 3. The person appointed to collect the state and county taxes, of said township, shall collect the dog tax thereof, provided the duplicate thereof be placed into his hands, by the auditors of the township, by the middle of May, in each year, and shall receive, out of the money thus collected, a fee of five per centum upon the whole amount thus collected; and the said collector shall kill, or cause to be killed, each and every dog, in said township, whose owner, or owners, shall refuse, or fail, to pay the tax, thus assessed, by the first day of November; and for every dog, thus killed, under the provisions of this act, the said collector shall receive the sum of one dollar, to be paid out of the fund created by said taxing of dogs: *Provided*, That if the office of collector of state and county taxes, for said township, is abolished by law, then and in such case, the said duplicate shall be given to the supervisors of the townships, for collection, who shall be subject to the several provisions of this act.

SECTION 4. Any failure, or refusal, by the collector, aforesaid, to carry out the provisions of section three, of this act, shall be deemed a misdemeanor, and punishable by a fine, of not exceeding five dollars, to be recovered before any justice of the peace, to be prosecuted by the auditors of said township, upon the complaint of one, or more, reputable citizens thereof.

SECTION 5. Any person, or persons, in said township, owning, or keeping, sheep, expecting to receive the benefits of the several laws for the protection of sheep and taxing of dogs, shall have an open ended brass bell, of proper size, attached to the neck of every fifth sheep, in his, her, or their, flock or flocks.

SECTION 6. That all dogs, upon which their owner, or owners, shall have regularly paid the taxes, as aforesaid, are hereby declared to be personal property: *Provided*, Such owner have a metallic collar, or chain, around the neck of his, or her, dog, with the initials of such owner's name stamped, or engraved, thereon; and every person, so stealing and taking away such dog, shall be liable to prosecution and indictment, in the court of quarter sessions, and on conviction thereof,

shall be sentenced, by such fine, or imprisonment, or both, as the court, in their discretion, may think proper.

SECTION 7. That all laws, or parts of laws, of said town-ship of West Fallowfield, taxing dogs for the protection of sheep, inconsistent with the provisions of this act, are hereby repealed. Repeal.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 667.

## An Act

Giving the several district courts, and courts of common pleas, certain powers in equity proceedings.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

That it shall be the duty of the judges of the several district courts, and courts of common pleas, in this commonwealth, to make and establish, for their respective courts, a tariff of fees and costs, in equity proceedings and cases.

Judges to establish a tariff of fees and costs, in equity proceedings.

SECTION 2. That in all proceedings in equity, according to equity forms, the several district courts, and courts of common pleas, in this commonwealth, may permit, at their discretion, and when, in their opinion, the same will affect the merits of the matter in controversy, and expedite justice, amendments to be made in bills, answers, pleas, or other matters, in the same manner as now obtains in common law cases and practice; proper notice to be given to the adverse party, whose rights shall be protected by continuances, if desired.

Courts may permit amendments to be made to bills, answers, &c., as in common law cases.

Notice to be given.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 668.

## A Further Supplement

To an act to enable the Governor to appoint notaries public, and for other purposes therein mentioned.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, making notaries public liable to the tax imposed on certain officers, by an act, approved March ten, one thousand eight hundred and ten, is hereby so construed, as to authorize them, in making up their accounts of the amount of taxes due the commonwealth, first to deduct the true and legitimate expenses of their several offices; and the auditor general and state treasurer are hereby authorized, in settling any account, or accounts, of such officers, which may be in dispute, to deduct from the amount, which may appear to be due the commonwealth, the actual expenses of said officer, or officers, for the time during which such excess accrued.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 669.

## An Act

To increase the pay of the supervisors in certain counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the pay of the supervisors of roads, in the county of Delaware, in the township of Fairview, in the county of York, and the township of Connellsville, Fayette county, shall be one dollar and fifty cents, per diem, for each and every day's work, on the public



roads, in said townships, in lieu of all other pay heretofore allowed by law.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 670.

## An Act

To vacate a certain street and alley, in Carter's addition, Williamsport.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the alley, laid out on the south side of Carter's addition to Williamsport, and South Chestnut street, laid out in said addition, from Carter street to the alley aforesaid, in the county of Lycoming, be and the same are hereby vacated.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 671.

## An Act

Relative to the fees of the prothonotary of Franklin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

that from and after the passage of this act, the prothonotary of the court of common pleas, of the county of Franklin, shall be entitled to receive, on all sums of money paid into court, a commission of two cents, for every dollar, not exceeding three hundred dollars, and one cent for every dollar, above that sum.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 672.

## An Act

Relating to the heirs of Jacob Peters.

WHEREAS, Jacob Peters died seized of certain real estate in the city of Philadelphia, hereinafter more particularly described, having by his will, dated March twelfth, one thousand eight hundred and fifty-one, devised the same to certain of his children, but without empowering his executors to sell:

*And whereas,* The said premises yield but a small return to the parties, owning the same, and it is to their interest, that said premises should be sold; but it is alleged, that a title to the same cannot be made, except under the authority of an act of assembly; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any of the parties in interest, or the representative, or representatives, of such party, be and they are hereby authorized and empowered, to sell at public sale, in the city of Philadelphia, after due notice thereof, for the space of twenty-one days, in two or more newspapers, published therein, all those certain premises, situated on the south side of Race street, between Third and Fourth streets, in the city aforesaid, being the same premises which Jacob Peters, deceased, by his will, dated March twelfth, one thousand eight hundred and sixty-one, gave to his children and grand-children, as therein set forth; and upon due confirmation of said sale, by the orphans' court, convey the same to the purchaser, or purchasers, thereof, in fee simple, without any liability on the part of the said purchaser, to see to, or be responsible for, the application of the purchase money: *Provided however,* That the said

purchase money shall be paid into the orphans' court, to be divided, under the direction of the will of said testator; and that before the same shall be paid over to the representative, or representatives, of any party in interest, entitled, as such, to receive the same, he, or they, shall give security for the faithful application of such moneys.

HENRY C JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 673.

## A Supplement

To an act to legalize and provide for the payment of the bonds issued as bounties to volunteers by the county commissioners of Venango county, approved the thirty first day of March, Anno Domini one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where any special committee, individual, or individuals, or any authorities of any township, or borough, in the county of Venango, shall have subscribed and paid, or become personally liable, or have issued bonds for the payment of money for the purpose of paying bounties to volunteers, under the late calls of the President of the United States, who have been mustered into the military service, and credited to such townships, or boroughs, with the understanding, or agreement, that a law would be enacted authorizing the levying and collection of a tax upon such township, or borough, for the payment of such advancements, or liabilities, the said liabilities, debts and bonds, are hereby legalized, made valid, and binding upon said townships, or boroughs; and the school directors, or road commissioners, of said townships, or boroughs, are hereby authorized and empowered to levy a tax for the payment of said liabilities, debts, or bonds, which shall include the same subjects of taxation, be levied and collected, disbursed, and accounted for, in the same manner as other township and borough moneys are: *Provided*, That the cost of collection and disbursement shall not exceed two and one-half per centum: *And provided further*, That the same class of persons and

and shall be exempted from taxation, as are contained in the act to which this is a supplement; and that the provisions of this supplement be and they are hereby extended to Clarion county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 674.

## An Act

Relating to the compensation of county auditors, in Fayette and Clinton counties.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the compensation of the county auditors, of Fayette and Clinton counties, shall be two dollars per day, for every day in which they shall be necessarily engaged in the discharge of their official duties.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 675.

## Supplement

To the act incorporating the Masonic Hall Association of East Liberty, approved February twentieth, Anno Domini eighteen hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the capital stock of the Masonic Hall Association of East Liberty be and the same is hereby increased to twenty-five thousand dollars, subject to like restrictions and regulations, as the original capital stock, in the bill, approved February twentieth, Anno Domini eighteen hundred and sixty-one.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 676.

## An Act

To authorize an increase in the rate of taxation, in the city of Harrisburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the common council, of the city of Harrisburg, shall have power to increase the rate of taxation, from six mills (the present rate of taxation, in said city) to a rate not exceeding ten mills on the dollar; and that so much of section twenty-seven, of the charter of said city, as is inconsistent herewith, be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 677.

*An Act*

To change the par value of the stock of the Iron-ton Railroad Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the board of managers of the Iron-ton Railroad Company are hereby authorized and empowered to divide the capital stock of said company, by making the par value of each share ten dollars, and to cancel the old certificates, and issue new ones, at the rate of five certificates, of ten dollars each, for each old certificate of fifty dollars: *Provided*, That the vote, to which stockholders shall be entitled, shall remain as heretofore, one vote for each fifty dollars of stock.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 678.

*An Act*

To incorporate a company to build a bridge over the Clarion river, at, or near, Stover's dam, in the county of Clarion.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That James C. Galbreath, Samuel Stover, William Neily, Solomon Shiry, Samuel Hieter, John Brodhead, William Dunkle and Sidle Lobough, be and they are hereby appointed commissioners, to do and perform the several duties hereinafter mentioned; that is to say, they shall on, or before, the first day of May next, procure one, or more, books, for taking subscription of stock, and shall write therein as follows: We, whose names are hereunto subscribed, do promise to pay to the president, managers and company, of the Licking Bridge Com-

Subscriptions  
to stock, rela-  
tive to.

pany, in the county of Clarion, the sum of twenty-five dollars, for every share of stock in said company, set opposite to our respective names, in such manner and proportions, and such times and places, as may be determined by the president and managers, in pursuance of an act of assembly, entitled "An Act to authorize the governor to incorporate a company to erect a bridge over the Clarion river, at, or near, Stover's dam, in the county of Clarion," and shall, thereupon, proceed to receive subscriptions for the stock of the said company, at such times and places as they may think proper: *Provided*, That every person, so subscribing, in his own name, or in the name of any other person, shall previously pay, to the attending commissioners, two dollars for every share, so subscribed, which shall be paid over to the treasurer of the corporation, as soon as the same shall be organized, agreeably to the provisions of this act; such payment to be considered as so much paid on said stock.

*Proviso.*

SECTION 2. As soon as one hundred shares, or more, are subscribed, the said commissioners, or a majority of them, may certify the same, together with a list of the subscribers, and the shares subscribed by each, in writing, to the governor, who, thereupon, shall constitute the subscribers, and, also, all those who, in future, may subscribe, under the provisions of this act, a body corporate, or politic, by the name and style of the president and managers of the Licking Bridge Company, in the county of Clarion, with all the privileges incident to a corporation, who shall have perpetual succession, and shall be capable of taking and holding the said capital stock, and the increase and profits thereof, and of enlarging the same, by new subscriptions, if such enlargement shall be necessary to fulfil the purposes of this act, in such manner and form as they may think proper; and of purchasing, taking and holding, to them and to their successors and assigns, in fee simple, or for any less estate, all such lands, tenements, or hereditaments, real, as shall be necessary and convenient for them, in the prosecution of their work, and the same to sell, or dispose of, at their pleasure; of suing and being sued, and of doing all and every other matter, or thing, which a corporation, or body politic, may lawfully do.

*When letters patent to be issued.*

*Corporate name*

*Privileges.*

SECTION 3. That any three of the persons, named in the letters patent, shall, as soon as conveniently may be, after the sealing the same, give notice in one, or more, newspapers, printed in Clarion county, of a time and place, by them to be appointed, not less than fifteen days, at which time and place, the said subscribers, or as many of them as may attend, shall proceed to organize the said company, and shall choose, by a majority of votes of said subscribers, by ballot, either in person, or by proxy, duly authorized, one president, three managers and one treasurer, to conduct the business of said company, until the next annual election, as hereinafter regulated; and in case of death, removal, or resignation, of any president, manager, or treasurer, the board of managers shall choose another to supply the vacancy; they may make and have one common seal, and the same may alter, or renew, at pleasure, and may make by-laws, rules and regulations, not

*Organization.*

*Notice of meeting.*

*Election of officers.*

*Vacancies.*

*By-laws.*

Votes, relative to.	<p>inconsistent with the laws of the United States, or of this state, as shall be necessary for the well ordering of the affairs of the company: <i>Provided</i>, That no person shall have more than twenty-five votes at any election; and that every person shall have one vote for each share, not exceeding ten shares, and one vote for every three shares, over ten, and under twenty, and one vote for every five shares, over twenty; and no share shall confer a right of voting, unless it be holden by the person, in whose name it appears on the books of the company, absolutely and <i>bona fide</i>, in his own right, or that of his wife, or for his, or her, sole use and benefit, or as an executor, or administrator, trustee, or guardian, or in the right and for the use and benefit of some co-partnership, corporation, or society, of which he, or she, may be a member, and not in trust for, and to, the use and benefit of any other person: <i>Provided</i>, That no person shall be permitted to vote at any election, unless he, or she, shall have paid all the instalments called for and then due on their respective shares.</p>
Proviso.	<p>SECTION 4. That the public meeting of the said stockholders shall be held annually, at such time and place as shall be fixed by the rules and by-laws of the said company, for the purpose of choosing officers for the ensuing year, and the transaction of such business as may come before them.</p>
Annual meeting of stockholders.	<p>SECTION 5. That the president and managers shall procure certificates of stock in the said company, which shall be signed by the president, and countersigned by the treasurer, and sealed with the seal of the corporation; and each stockholder shall be entitled to a certificate, for each share by him subscribed, or held, on paying to the treasurer, in part, the sum due thereon, six dollars on each share, which certificate shall be transferable, either by the owner, in person, or by his attorney, duly authorized, in presence of the president, or the treasurer, for the time being, subject, however, to the payments due, or growing due thereon; and the person, to whom such transfer shall be made, shall stand in the place of the former holder, and be entitled to the same privileges, and liable to the same responsibilities of the company.</p>
Certificates of stock.	<p>SECTION 6. That the president and managers shall meet at such times and places, and be convened in such manner, as shall be prescribed by the by-laws; at which meeting, three members, one of whom shall be the president, shall form a quorum for the transaction of business, and shall have full power and authority, to agree with such engineers, superintendents, or other officers, as they shall think necessary, for the erection of said bridge, to fix their wages, or to make contracts for the erection of the same; they shall, also, determine the times, manner and proportions, in which the stockholders shall pay the money due on their respective shares, draw orders on the treasurer, for the money, necessary to pay wages, and bills for work or materials, or on account of contract; which orders shall be signed by the president, and attested by the secretary; and do and transact all such matters and things, as by this act, or by the by-laws of the company, shall be committed to them.</p>
Transferable.	
Meeting of president and managers.	
Their powers and duties.	



SECTION 7. That if any stockholder, after thirty day's notice, in one, or more, of the newspapers, printed in said county, of the time and place for the payment of any instalment of said capital stock, shall neglect to pay such instalment at the time appointed, every such stockholder, or his assignee, shall, in addition to the proportion so called for, pay, at the rate of three per cent. per month, for every delay of such payment; and if the same, and the additional payment, shall remain unpaid, for such a space of time that the accumulated penalties shall be equal to the sums before paid on account of such share, the same shall be forfeited to the company, and may, at the option of the managers, be sold for such amount as can be obtained therefor, by any person willing to buy the same; or said managers may sue for and recover the same, before any justice of the peace, or before any court of competent jurisdiction.

Neglect to pay instalments of stock, relative to.

When stock to be forfeited.

SECTION 8. That whenever it shall appear that the said bridge cannot be completed, without extending the number of shares of stock, the same shall be extended, by said managers, so far as may be necessary, to complete the said bridge; which additional shares shall be, by them, sold, and shall entitle the holder to the same rights and privileges as those originally subscribed.

Number of shares may be increased.

SECTION 9. That it may be lawful for the president and managers, and persons employed by them, to enter upon any lands, or enclosures, for the purpose of locating the said bridge, and to occupy so much of said lands as they may deem necessary for erecting the same; also, they shall have power to make roads, from the same, as they may think proper, to connect with the nearest public road to the same, paying the owners of such lands a just compensation for the same, and for all damages for injury done thereby; also, to search for, procure and take away, all stone and earth, or other materials, necessary for constructing, or repairing, said bridge and roads leading thereto, doing no unnecessary damage, and paying a just compensation for the same; which said compensation, or damage, shall be assessed by three persons, mutually chosen by the parties, if said parties cannot agree on the same: *Provided*, The said bridge shall be constructed so as not to interrupt, or impede, the navigation of said stream.

Authorized to enter upon lands, &c.

Damages, relative to.

Proviso.

SECTION 10. When the said bridge is completed, the property of the same, with its appendages, shall be vested in the said company, and their successors, forever, with power to erect gates, and such buildings as may be necessary, for a toll collector, and to demand and receive toll, from travelers and others, at said bridge, not exceeding the following rates, to wit: for every carriage, of whatsoever description, having either two, or four, wheels, used for personal accommodation, or pleasure, drawn by one horse, fifteen cents, and ten cents for each additional horse, in the same; for every wagon, or cart, drawn by one horse, ten cents, and five cents for every additional horse drawing the same; for every sleigh, or sled, drawn by one horse, ten cents, and five cents for every additional horse drawing the same; for every horse, with a rider, five cents; for every horse, without a rider, five cents; for every foot passenger, two cents; for every head of cattle, one cent;

May receive tolls.

Rates.

	for every score of hogs, or sheep, ten cents; for every wagon, cart, sleigh, or sled, drawn by mules, or oxen, one mule shall be rated as one horse, and two oxen, as one horse; and in no case shall the driver, or owner, of any horses, or cattle, be permitted to lead, or drive, more than twenty head on the said bridge, at the same time: <i>Provided also</i> , That if any person, or persons, shall wilfully ride, drive, or lead, any horse, or other animal, faster than a walk, when crossing said bridge, he, she, or they, so offending, shall, for every such offence, forfeit and pay the sum of five dollars, to be collected, for the use of said company, as fines of like amount are by law recoverable: <i>Provided</i> , That the court of quarter sessions, of Clarion county, shall have power, upon petition, and upon notice to the said company, to lower its said rates of toll, whenever, in their opinion, they shall become oppressive, or burdensome, to persons using the said bridge.
Penalty for fast riding, or driving.	
Court may lower rates.	
Accounts of money received to be kept.	SECTION 11. That the said president and managers shall keep a correct account of all moneys received by them, as toll, or otherwise, and may reserve such sums, or proportion, of the clear annual income, as they may think proper, to form a contingent fund, for the purpose of repairing, or re-building, said bridge, and the same to invest, on such security, or in such stock, as they shall deem safe and productive: <i>Provided</i> , That nothing in this act shall be so construed as to prevent said company from contracting, with any persons, desirous of using said bridge, for an annual sum, in place of the tolls hereinbefore mentioned, or of renting the said bridge to the highest, or best, bidders for the same.
Contingent fund, investment of.	
May contract for an annual sum in lieu of tolls.	
Toll collector to be sworn.	SECTION 12. That it shall be lawful for the managers, aforesaid, to cause the toll collector to take and subscribe an oath, or affirmation, that he will faithfully conduct himself in his station, and honestly account, to the treasurer of the company, for all moneys collected by him, and diligently attend to the discharge of his duty, by watching, with vigilance, over the interest of the company, and safety of the bridge.
Penalty for injuries to bridge.	SECTION 13. That if any person shall wilfully pull down, break, or injure, any part of said bridge, or toll house, or other property, of said company, or shall wilfully, or maliciously, obstruct, or impede, the passage of said bridge, he, or she, or they, so offending, shall each of them forfeit and pay, for each such offence, to said corporation, the sum of twenty dollars, to be recoverable, before any justice of the peace, as debts of like amount are recoverable; or if any person shall be guilty of carrying a lighted segar, or pipe, or fire, in any manner, except in a lantern, or other vessel, properly secured, he, she, or they, so offending, shall forfeit and pay a sum of five dollars, to be recovered as aforesaid, with right of appeal, by either party, to the court of common pleas: <i>Provided</i> , That suit shall be commenced, within twenty days from the commission of such offence; and he, or she, so offending, shall be liable to action, at the suit of said corporation, for such wrongs, if the sum, or sums, herein mentioned, be not sufficient to repair and satisfy said damages.
Prohibition.	
Penalty.	
Proviso.	
Compensation of officers.	SECTION 14. That the said president and managers shall receive, as a compensation for their services, a sum not exceed-

ing one dollar per day, for each and every day actually engaged, in the transaction of the business of said company, and may allow such compensation to their secretary and treasurer, as they may think proper: *Provided*, That the salary of treasurer shall not exceed five per centum, on the amount of cash that may come into his hands, and be by him paid over, on order of said managers, or to his successor in office. Salary of treasurer.

SECTION 15. That if the said company shall not proceed to carry on the said work, within two years after they shall have been incorporated, or shall not, within the space of five years thereafter, complete the said bridge, it shall be lawful, for the legislature of this commonwealth, to resume, all and singular, the rights, liberties and privileges, hereby granted to the said company. When bridge to be commenced and completed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 679.

## An Act

Extending an act to enable the citizens of Jefferson township, Greene county, to avail themselves of the provisions of an act relating to the payment of bounties to volunteers, approved April ninth, one thousand eight hundred and sixty-four, to the citizens of Cumberland and Perry townships, Greene county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to enable the citizens of Jefferson township, Greene county, to avail themselves of the provisions of an act relating to the payment of bounties to volunteers," approved March twenty-fifth, one thousand eight hundred and sixty-four, be and the same is hereby extended to the townships of Cumberland and Perry, in the same county.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 680.

## An Act

For taxing dogs in the township of Wallace, and county of Chester.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first, second, third, fourth and fifth, sections of an act, entitled "An Act laying a tax on dogs in certain townships, in the county of Chester," approved March eleventh, Anno Domini one thousand eight hundred and fifty, be and the same are hereby extended to the township of Wallace, in said county: *Provided,* That if, at the end of any fiscal year, there shall remain, in the possession of any treasurer, a greater sum than two hundred and fifty dollars, after paying all orders then due, it shall be the duty of such treasurer to pay said surplus to the treasurer of the school district, in which said tax was collected, to be applied to common school purposes therein, under the direction of the proper school directors.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 681.

## An Act

To provide for the payment of money, advanced by the banks of Pennsylvania, and other corporations, to pay the troops, called into service to repel the invasion of the rebel army, in the year one thousand eight hundred and sixty-three.

Preamble.

WHEREAS, During the aforesaid invasion, a large number of troops, under the authority of the President, and upon the call of the governor of this commonwealth, entered into the military service of the United States, for the purpose of repelling such invasion, and defending the state :

*And whereas*, A number of the banks, and other corporations of this commonwealth, at the request of the governor, advanced the sum of six hundred and seventy-five thousand one hundred and ninety-five dollars and thirty-three cents, for the payment of said troops, relying upon the faith of the commonwealth for re-payment, in case Congress should not provide for such re-payment :

*And whereas*, Congress has not yet made such provision ; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the governor and state treasurer be and they are hereby authorized and empowered to borrow, on the faith of the commonwealth, such sum of money as may be necessary to pay the sum so advanced, by the said banks, and other corporations, with the interest which may be due thereon, and to issue certificates of loan, or bonds, of the commonwealth, for the same, bearing interest at the rate of six per centum per annum, payable semi-annually, which shall be re-imbursable, at any time, after the expiration of five years from their date ; and it shall be inscribed, on the face of said certificates and bonds, that the loan, for which they shall be issued, has been contracted to repel invasion, and defend the state in war : *Provided*, That no certificate of loan, or bond, authorized by this act, shall be issued for a sum less than one hundred dollars, nor be negotiated for less than its par value ; and said certificates and bonds shall be transferable, on the books of the commonwealth, at the Farmers' and Mechanics' Bank, in the city of Philadelphia : *Provided further*, That this act shall not take effect, if Congress shall provide for the payment of the same at its present session.

Governor and state treasurer authorized to borrow money.

Certificates of loan, or bonds, to be issued therefor.

Proviso.

To be transferable.

Proviso.

**SECTION 2.** That the bonds and certificates, issued under the provisions of this act, shall be signed by the governor, and countersigned by the state treasurer and auditor general ; and an accurate registry of the same shall be kept in a book, to be provided for that purpose, in the office of the auditor general, who shall make annual report thereof to the legislature ; and the governor is hereby authorized to draw warrants on the state treasurer, for such sums, out of the money raised by said loan, as may be necessary to pay to the said banks and other corporations, the money advanced by them as aforesaid, with the interest that may be due thereon, and also, such sums as may be necessary to pay the proper expenses, incident in the negotiation of such loan, and the preparation of the bonds and certificates, authorized by this act, out of any moneys in the treasury, not otherwise appropriated.

To be signed by governor, &c.

Registry to be kept.

Auditor general to make annual report thereof.

Governor to draw warrants for payment of banks, &c.

Expenses for negotiating loan, how to be paid.

**SECTION 3.** That the governor be and he is hereby authorized, and required, before negotiating such loan, to give at least thirty days' notice in one newspaper in Philadelphia, and one in Pittsburg, inviting proposals for the loan, or any part thereof, as authorized by this act ; which proposals shall state the price intended to be paid for such loan, or parts thereof ; and at three o'clock, P. M., of the day appointed in such published notice, the state treasurer shall proceed to

Governor to give notice, inviting proposals for loan.

Bids to be opened by state treasurer.

open such bids, in the presence of the governor and auditor general, and such other persons as may attend, and allot the same to the highest and best bidder.

Expense of advertising, printing of bonds, &c., payment of.

SECTION 4. The expense of advertising, and the printing of bonds and certificates, shall be settled in the usual manner by the auditor general, and paid by the state treasurer, out of any money in the treasury, not otherwise appropriated.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 682.

## An Act

To regulate the standard weight of Indian, or corn, meal, and the sale thereof, in the borough of Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, Indian, or corn, meal, shall be retailed by weight alone, and at the standard weight of fifty-six pounds to the bushel, or for any aliquot part thereof, in proportion, in the borough of Washington.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN

No. 683.

*An Act*

Authorizing the school directors, of the borough of Uniontown, in the county of Fayette, to sell certain real estate, and to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the school directors of Union borough, Fayette county, be and are hereby authorized, and empowered, to sell, at public, or private, sale, and execute a deed, in fee simple, to the purchaser, the real estate, situated in said borough, used and occupied by the public schools, with the appurtenances thereto belonging. Sale of real estate authorized.

SECTION 2. That the school directors, aforesaid, be and they are hereby authorized to borrow any sum, or sums, of money, not exceeding, in the aggregate, the sum of four thousand dollars, at a rate of interest not exceeding six per centum per annum, to be used, by the said directors, in addition to the sum, or sums, realized from the sale of the property mentioned in the first section of this act, in the purchase of other property, for the use of the public schools of said borough, or for the purchase of a lot, and the erection thereon of suitable buildings, for the use of the said schools. May borrow money.  
How to be used.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 684.

*An Act*

To vacate a certain alley.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the first alley, parallel to, and south of, Locust street, and running west from Second street, and south, into a fourteen feet alley, in the borough of Columbia, in the county of Lancaster, is hereby vacated.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 685.

## An Act

To authorize the school directors of Upper Oxford township, Chester county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of Upper Oxford township, in the county of Chester, be and they are hereby authorized and empowered, to borrow any sum, or sums, of money, not exceeding four thousand dollars, at a rate of interest, not exceeding six per cent. per annum, for the purpose of building a school house, or school houses, for said township, and issue bonds therefor, in sums not less than one hundred dollars each; said bonds to be executed by the president and secretary of the board.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN



No. 686.

## An Act

Giving the right to the town council, of the borough of Mauch Chunk, to remove all obstructions from, and plank, the bed of Mauch Chunk creek, in said borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council, of the borough of Mauch Chunk, in the county of Carbon, shall have the right to order and direct the owner, or owners, of the lot, or lots, of ground, situated in the borough aforesaid, through or along which, the Mauch Chunk creek passes, to clear out and remove all obstructions from the bed of said creek, and to plank the bed of said creek, and cover the same, in such manner as may be directed; and upon failure, of the owners of said lots, so to do, within the time prescribed by the ordinance of said borough, then the said council may do the same, and may collect the cost of work and material, in manner provided in the sixth article of the twenty-third section of the act of general assembly of the commonwealth of Pennsylvania, entitled "An Act for the incorporation of boroughs," passed April third, one thousand eight hundred and fifty-one; and the said town council shall have the same right to order and direct the repairs of all drains, sluices and sewers, under and through any of the lanes, or alleys, in said borough, and may require the owners of lots, bounded, or fronting, on the same, so to repair them; and on failure so to do, the said council may do the same, and collect the cost of work and material, in manner above provided.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 687.

**An Act**

Relative to appropriations, out of county funds, to agricultural societies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fourth section of the act of the twenty-ninth March, Anno Domini one thousand eight hundred and fifty-one, entitled "An Act to incorporate the Pennsylvania State Agricultural Society," which provides for the payment of a sum, not exceeding one hundred dollars, out of the county funds, to any agricultural, or horticultural, society, organized in any of the counties of the commonwealth, be and the same is hereby repealed, so far as it applies to the county of Columbia.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 688.

**An Act**

To authorize the school directors of Franklin township, in the county of Greene, to levy and collect a tax to pay bounties to volunteers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of Franklin township, in the county of Greene, shall constitute a board, to be entitled "The Commissioners of the Bounty Fund," and as such, shall have all the power and authority, conferred by existing laws upon school directors, to assess, levy and collect, or cause to be collected, as often as may be necessary, and in the same manner that school taxes are collected, a tax sufficient, when collected, to re-pay those who have heretofore furnished money for bounties to volunteers, enlisted in the United States mili-

tary service, from said township, and to pay the bounties of such persons, as may hereafter volunteer and enlist into the said service, from the said township; and the same property, made taxable for school purposes by existing laws, is hereby made taxable for the purpose aforesaid; and it shall be the duty of said board of commissioners, to proceed, as often as necessary, to assess and levy such tax, at such rate as may be just and reasonable, and to collect, or cause the same to be collected, and to appropriate the same to the purposes aforesaid; and if, after such money shall be re-imbursed, and bounties paid as aforesaid, a surplus shall remain in their hands, the same shall be paid to the school treasurer, for school purposes, in said township or district; and the accounts of such commissioners shall be settled by the township auditors, as the accounts of other township officers are settled.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 689.

## An Act

Authorizing payment of a gratuity to Levi M. Neischwender, a soldier, crippled while in the service of the state militia, in July, Anno Domini one thousand eight hundred and sixty-three.

WHEREAS, Levi M. Neischwender, of Reading, Berks county, enlisted in the Pennsylvania state militia, on the twenty-third day of July, Anno Domini one thousand eight hundred and sixty-three, under Captain Joseph G. Holmes, forty-eighth regiment:

*And whereas,* The said Neischwender, while in said service, was severely injured, and is now a cripple, and a charge upon his friends, by reason of an accident on the cars of the railroad, on which he was traveling, when near Leesport, in said Berks county:

*And whereas,* He is poor, and if he has to be supported by his said friends, it will be extremely burdensome to them; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the state treasurer is authorized and hereby required to pay to the said Levi M. Neischwender the sum of one hundred dollars, as a gratuity, on the receipt of the said Neischwender, or his order, for the same, being first produced to him.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 690.

## An Act

To lay out a State road in Clarion and Venango counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners.

That George A. Knight and William Sarah, of Clarion county, William Carthwright and William M. Nickle, of Nickleville, of Venango county, be and are hereby appointed commissioners, to view and lay out, and mark, a state road, leading from a point at, or near, where the Susquehanna and Waterford turnpike crosses East Sandy, in Salina, in Cranberry township, Venango county, to Callensburg, in Clarion county.

Route.

Duties of commissioners.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taking an oath, or affirmation, before a justice of the peace, to perform the duties enjoined upon them, by this act, with fidelity and impartiality, to carefully view the ground on which the said road may pass, and lay out and mark the same, upon the ground, on the route agreed upon by them, for the road aforesaid, in such manner as to enable the supervisor readily to find the same; and for the purpose of filling the duties, enjoined in this act, the said commissioners, or a majority of them, are hereby enjoined to employ two chain carriers, at a per diem allowance, not exceeding one dollar and fifty cents; and the said commissioners, respectively, shall receive a per diem allowance, not exceeding two dollars for each day necessarily employed in discharge of said duties, enjoined by this act, which shall be paid by the treasurers of the counties through which the road may be laid out, upon the rendition of the accounts of said commissioners, in proportion to the time employed in each county: *Provided, That*

Compensation,  
how to be paid.

if George A. Knight perform the duties of surveyor, he shall receive an additional compensation of one dollar per day. Surveyor.

SECTION 3. That it shall be the duty of the surveyor to make Drafts. out two fair and accurate drafts, of the location of said road, respectively noting the courses and distances, as they occur, with such other matters as may serve for explanation, one copy to be deposited in the office of the clerk of the court of quarter sessions, in the respective counties through which the road may pass, on, or before, the first day of December next; and from thenceforth, the said road shall be a public highway, and shall be opened a width of thirty-three feet, and at a grade of three degrees, from a horizontal line, if practicable, and not to exceed five, except at the crossing of ravines and streams, where, by reasonable cutting and filling, or bridging, the declination of the road may be preserved within that limit.

SECTION 4. That the commissioners shall proceed, as soon as practicable, to complete the location of said road; and if any vacancy occur in their number, by death, or resignation, or otherwise, the same shall be supplied by the remaining commissioner, or commissioners, selecting suitable person, or persons, to constitute a board of at least three members. Vacancies.

SECTION 5. That it shall be the duty of the supervisors, of the several townships through which the said road may pass, upon giving notice, to proceed to open and make said road, under the same provisions as if said road had been laid out by the respective courts of quarter sessions. Duties of supervisors.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 691.

## An Act

To vacate a part of Pinney street, in the borough of Rochester, in the county of Beaver.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That that part of Pinney street, in said borough of Rochester, in the county of Beaver, from a point where the same con-

nects with, or runs into, Panther lane, in said borough, and running from thence, westwardly, about fourteen hundred and fifty feet, to where said Pinney street intersects Adams street, at the public square, in said borough, be and the same is hereby vacated and made void.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 692.

## An Act

To equalize the payment of bounties, within the county of Montgomery.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the county commissioners of Montgomery county shall be and they are hereby authorized to include, in their assessment of taxes, for bounty purposes, the borough of Norristown, notwithstanding the provisions of the sixth section of the act, approved March twenty-fifth, Anno Domini one thousand eight hundred and sixty-four, entitled "An Act relating to the payment of bounties of volunteers:" *Provided however,* That the said county commissioners shall issue, to said borough, or to such persons as the town council, of said borough, shall designate, county bonds, amounting, in the aggregate, to a sum equal to the amount to which the whole number of volunteers credited to the quotas of said borough, (and not exceeding the same,) under the late calls of the President of the United States, for five hundred thousand men, and two hundred thousand men, respectively, would have been entitled, if they had been paid, in the first instance, the ordinary county bounty received by volunteers credited to the quotas of the other sub-districts, in said county, under said calls, respectively; subject, also, to the proviso, that the aggregate amount of said county bonds, issued to the said borough, shall not be greater in proportion to the aggregate amount of bounty, payable by the said county, under the aforesaid calls, than the proportion which the assessed value of the property, in said borough, taxable for county purposes, bears to the aggregate assessed value of the property, taxable for county pur-

poses, in said county: *Provided also*, That the said bonds, and all moneys arising therefrom, shall be appropriated, in the first place, to re-pay, to the said borough, the bounty heretofore paid, by said borough, to the volunteers credited to the quota of the same, under either of the aforesaid calls; and whatever amount of said bonds, or of moneys arising therefrom, may not be required for the purpose of such re-payment, shall be distributed, equitably, among the volunteers credited to the said borough, as aforesaid, in such manner as the town council, of said borough, may deem most equal and just.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 693.

## A Supplement

To an act to create a loan, and to provide for arming the State, approved the fifteenth day of May, Anno Domini one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the agency, heretofore established at Washington, by the governor, be enlarged, so that the agent and assistant agent shall have the rank, pay and allowances, of colonel and lieutenant colonel, respectively, to be paid by the adjutant general; and that the duties of said agency be enlarged, so as to include the collection of pay, pensions and bounties, due to Pennsylvania volunteers, without charge or expense to such volunteers, and such other duties as the governor may, from time to time, direct; and that the governor be authorized to establish an agency, at some point in the south-west, to provide for the comfort and efficiency of our volunteers, the care of the sick and wounded, the sending home of the dead bodies of those who may die in the service, and such other purposes as may be necessary for the benefit of our volunteers in that part of the United States; and that the agent and assistant agent, who may be appointed at such agency, shall have such rank, and receive such compensation, as the governor may

State agency at Washington enlarged.

Duties thereof.

Governor authorized to establish an agency in the south-west.

Rank and compensation.

direct, provided that the rank, pay and allowances shall not exceed those of a lieutenant colonel, and they shall be paid by the adjutant general.

Clerks for agency at Washington.

SECTION 2. That the governor be and he is hereby authorized to appoint clerks to assist the agency at Washington: *Provided*, That not more than two clerks be so appointed, and that their salaries shall not exceed one hundred dollars per month, and shall be paid by the adjutant general.

History of Pennsylvania military organizations to be prepared.

SECTION 3. That the governor be and he is hereby authorized to appoint some competent person to prepare a military history of the organization of Pennsylvania volunteers and militia, who have been, or may be in the field, who shall be paid a sum not exceeding twenty-five hundred dollars, for such service.

Appropriation for certain military expenses.

SECTION 4. That the governor is hereby authorized to draw, on his warrants from the state treasury, a sum not exceeding fifteen thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated, to pay the compensation, and other expenses, which are authorized by the thirteenth section of the act, to which this is a supplement.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 694.

## A Further Supplement

To an act to incorporate the Powelton Coal and Iron Company, approved May first, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the powers and privileges conferred upon the Powelton Coal and Iron Company, by the act of incorporation, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, and the supplement thereto, shall be extended to Schuylkill and Cambria counties: *Provided*, That the quantity of land held by said company, in either of said counties, shall not exceed two thousand five hundred acres; and that the whole quantity of land held by said company, at



one time, shall not exceed the quantity mentioned and allowed by the original act of incorporation of said company.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 695.

## An Act

To change the time of the annual meeting of the stockholders of the Philadelphia and Reading Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the Philadelphia and Reading Railroad Company, at their option, to change the time of holding the annual meeting of stockholders, to the third Tuesday in February, instead of the time now fixed by law.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 696.

## An Act

To incorporate the Fame Hose Company, of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Incorporation.	That all and every the persons, who shall, at the time of the passing of this act, be members of the association, called the Fame Hose Company, of Philadelphia, shall be and they are hereby created and declared to be one body politic and corporate, by the name, style and title, of the "Fame Hose Company, of Philadelphia," and by the same name, shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded, in all courts of record, or elsewhere, and to take, receive and hold all, and all manner of lands, tenements, rents, annuities, liberties, franchises and other hereditaments, which, at any time, or times, heretofore, have been granted, bargained, sold, enfeoffed, released, devised, or otherwise conveyed to the said Fame Hose Company, of Philadelphia, or to any person, or persons, for their use, or in trust for them; and the same lands, tenements, rents, annuities, liberties, franchises, and other hereditaments, are hereby vested and established in the said corporation, and their successors forever; and the said corporation, and their successors, are hereby declared to be seized and possessed of such estate, or estates, therein, as in and by the respective grants, bargains, sales, enfeoffments, releases, devises, or other conveyances thereof, is, or are, declared, limited and expressed; and also, that the said corporation, and their successors, at all times hereafter, shall be able to purchase, receive, have, hold and enjoy, to them and their successors, all, and all manner of lands, tenements, rents, annuities, liberties, franchises and other hereditaments, goods, and chattels, of what nature, kind, or quality, soever, real, personal, or mixed, or chuses in action, and the same, from time to time, to sell, grant, demise, alien and dispose of: <i>Provided</i> , That the clear yearly value, or income, of the messuages, houses, lands and tenements, rents, annuities, or other hereditaments, and the real estate of the said corporation, and the interest of money by them lent, shall not exceed the sum of thirteen hundred and thirty-three dollars and thirty-three cents; and, also, to make and have a common seal, and the same to break, alter and renew, at pleasure: and, also, to ordain, establish and put in execution, such by-laws, ordinances and regulations, as shall appear necessary and convenient, for the government of the said corporation, not being contrary to the constitution and laws of the United States, or of this commonwealth; and generally to do all and singular, the matters and things, which, to them, it shall lawfully appertain to do, for the well-being of the said corporation, and the due management and ordering of the affairs thereof.
Title.	
Powers and privileges.	
Income.	
Seal.	
By-laws.	

Membership,  
relative to.

SECTION 2. *And be it further enacted by the authority aforesaid*, That this corporation shall not consist of more than thirty active members, who shall be elected by ballot; but previous to the admission of a member, he must be proposed by one member, and seconded by another, at a stated meeting, and balloted for, at the next stated meeting; whereupon, receiving the votes of two-thirds of the members present, and upon signing the articles of the company, shall become an active member, and, while he continues as such, shall be subject to such fines and contributions as the laws of the company may impose; and, also, that the corporation may bestow the privi-

leges of honorary membership, on such active members as they may think proper, and under such regulations as the by-laws may prescribe.

SECTION 3. The officers of the company shall consist of a president, vice president, secretary, treasurer, six directors, an electing committee, consisting of five members, two delegates to the fire association, three trustees on real estate, and one fire director, all of whom shall be elected semi-annually, at the stated meetings of January and July, except the delegates, trustees on real estate, and fire directors, who shall be elected annually, at the stated meetings of July.

SECTION 4. *And be it further enacted by the authority aforesaid*, That the stated meetings of the company shall be held on the evenings of the first Monday of every month, and that adjourned and special meetings may be held, as the company shall see meet, or circumstances may require; but no business shall be transacted, at any meeting, unless a quorum, which shall consist of ten members, be present, except to call the roll, and then adjourn.

SECTION 5. *And be it further enacted by the authority aforesaid*, That nothing in this act contained shall be deemed to authorize the said company to engage directly, or indirectly, in any banking, moneyed, commercial, mining, or manufacturing concerns, or to act in any other way than as a fire company.

SECTION 6. *And be it further enacted by the authority aforesaid*, That this act shall continue in force thirty years, from the passing thereof, and no longer, for the purposes aforesaid: *Provided always*, That if it shall appear that the charter, or privileges, hereby granted to the said company, are injurious to the citizens of this commonwealth, the legislature shall have full power to alter, annul and repeal, this act, at any time they may think proper.

SECTION 7. That said corporate body shall have the right to build, upon any portion of their premises, now, or hereafter, to be occupied by them, a market house, for the accommodation of farmers.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 697.

*An Act*

To authorize the mayor of the city of Pittsburg to appoint a deputy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the mayor, of the city of Pittsburg, be and he is hereby authorized, in case of his necessary absence from the city, of his sickness, or other temporary disability, to designate one of the aldermen, of said city, who shall, during such absence, or disability, of the mayor, exercise all the powers, and discharge all the duties, of mayor of said city, in cases of vagrancy, drunkenness and disorderly conduct; and for all the official acts of said deputy, the mayor shall be responsible, the same as if said acts were performed by himself in person.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 698.

*An Act*

Relative to the Mercer Union School District.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the authority vested in the commissioners of the Mercer Union school district, by an act, entitled "An Act authorizing the citizens, of the borough of Mercer, to erect a union school house, in said borough," approved May thirteenth, one thousand eight hundred and fifty-six, and the supplements thereto, shall, from and after the passage of this act, cease and determine; and the said commissioners shall, on, or before, the first Monday of June, Anno Domini one thousand eight hundred and sixty-four, deliver over, and surrender, to the school

The authority  
vested in com-  
missioners of  
Mercer Union  
school district  
to cease.

directors, of said district, for the time being, all moneys, bonds, notes, books, documents, vouchers and papers, which have come to their hands, as commissioners aforesaid, and in any-wise belonging, or appertaining, to their office and trust, under and in pursuance of the act and supplements thereto, as aforesaid; and also, the duties and powers, of the said commissioners, which remain to be performed and executed, shall, from and after the passage of this act, be vested in, performed and executed by, the school directors, of the Mercer Union school district, aforesaid.

To deliver over to school directors all moneys, books, papers, &c.

SECTION 2 That the said commissioners, of the Mercer Union school district, aforesaid, are hereby required to file, in the court of common pleas of Mercer county, on, or before, the August term thereof, next after the passage of this act, an account of their trust, as commissioners aforesaid; which said account shall embrace all items of money received and payments made, and debts and expenses made and incurred, since the said thirteenth day of May, one thousand eight hundred and fifty-six, to the time of the filing thereof, embracing a full and detailed statement of the execution of the trust aforesaid; and if the said commissioners shall not, in the term aforesaid, file their account, as aforesaid, the said court shall have power to enforce compliance with the provisions hereof, by citation and attachment, as in other cases, upon application of the school directors, or any citizen, of the said district; and the school directors, or any citizen, of the said district, shall have the right to except to the said account, or any portion thereof, after the same shall have been filed; which said exceptions shall be heard and determined, by the said court, in the same manner as exceptions to accounts of assignees for the benefit of creditors are heard and determined; and the said court shall, upon the application of the said exceptants, or of the accountants, direct an issue to be joined, to be tried, by a jury, in said court, whose verdict shall be final and conclusive: *Provided*, That if no exceptions shall be filed to said account, within three months after the same shall have been filed, the same shall be confirmed by said court.

To file an account of their trust, in court of common pleas.

Court may enforce compliance.

Exceptions to account may be taken.

How to be heard and determined

Proviso.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 699.

*An Act*

To authorize the appointment of an additional notary public, to reside in the city of Philadelphia, and one in Luzerne county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor be and is hereby authorized, and empowered, to appoint an additional notary public, for this commonwealth, to reside in the city of Philadelphia, and one in the borough of Scranton, Luzerne county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 700.

*An Act*

To provide for the payment of salaries of the secretaries of the sectional board of school directors, in the city of Philadelphia.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That it shall be the duty of the city councils of Philadelphia to provide, by ordinance, for the payment of the secretaries of the several wards of directors, in the first school district.

Councils to provide for payment of secretaries.  
Salary fixed.

**SECTION 2.** That from and after the first day of January, one thousand eight hundred and sixty-four, the salary of each of said officers shall be one hundred dollars per annum; and warrants, for the payment thereof, shall be drawn in same manner, as are the warrants for the payment of teachers in the said district.

SECTION 3. All laws in conflict with the provisions hereof, Repeal. or supplied by this act, are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 701.

## An Act

To change the time of holding the election in the borough of Leechburg, in the county of Armstrong.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That from and after the passage of this act, the borough election, in the borough of Leechburg, shall be held on the last Friday of May, annually, instead of the last Friday preceding the first Monday of March.

Time of holding borough election changed.

SECTION 2. That the qualified electors of the borough of Leechburg shall, at their first election, elect six councilmen, two for one year, two for two years, and two for three years, and two for every year thereafter; also, three auditors, one for one year, one for two years, and one for three years; also, one person for high constable, to serve one year; one person for borough treasurer, to serve one year, and one person for street commissioner, to serve for one year.

Officers to be elected.

SECTION 3. That Daniel U. Hill, of said borough, is hereby appointed judge, and Joseph Keffer and William R. Duff, inspectors, to hold the first election in said borough of Leechburg.

Officers to hold first election.

SECTION 4. That so much of the act regulating the election in the borough of Leechburg, approved the eighteenth day of April, one thousand eight hundred and fifty-six, be and the same is hereby repealed.

Repeal.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 702.

**An Act**

**To extend the charter of the Workingmen's Savings, Loan and Building Association, in Montgomery county.**

WHEREAS, The Workingmen's Savings, Loan and Building Association, located in the borough of Norristown, and county of Montgomery, was incorporated on the seventeenth day of May, one thousand eight hundred and fifty-four, by the court of common pleas, of Montgomery county, for the period of ten years, from the said seventeenth day of May, Anno Domini one thousand eight hundred and fifty-four :

*And whereas,* It is ascertained that the said corporation cannot wind up and carry out the objects and purposes of its charter, within the time limited, and that the said court has no power to extend the same ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the charter and corporate privileges of the Workingmen's Savings, Loan and Building Association, located at Norristown, in the county of Montgomery, be and the same is hereby extended, for the further period of two years, to be computed from the time of the expiration of the ten years, for which the said charter has been granted : *Provided however,* That nothing, herein contained, shall prevent the winding up of the affairs and business of said corporation, at any time hereafter, as soon as the objects and purposes, for which it was incorporated, shall have been accomplished.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 703.

**An Act**

To authorize Amasa Stone, guardian of the minor children of Daniel Stone, deceased, to convert certain real estate.

WHEREAS, Daniel Stone, late of the city of Philadelphia, now deceased, died seized as tenant in common, *inter alia*, of certain real estate, situate in the counties of Centre and Clearfield :

*And whereas*, The heirs of Daniel Stone are desirous to join with the several parties in interest, in developing the coal and minerals upon said lands, and associating themselves under the name and title of the Oceola Coal Company, and to retain the same interest in said company, they now have in said lands ; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the powers granted to administrators and executors of deceased co-tenants, in sections fourteen and fifteen of an act, entitled "A supplement to the act to encourage the manufacture of iron, with coke or mineral coal," passed April seventh, Anno Domini eighteen hundred and thirty-eight, and the supplement thereto, passed the second of April, Anno Domini eighteen hundred and sixty, be and the same are hereby extended, so as to authorize Amasa Stone, guardian of the minor children of Daniel Stone, deceased, to convey the undivided estate and interest in said lands, of the said minors, to the Oceola Coal Company, receiving therefor so much stock in said company, as the said minors would have been entitled to receive, had the lands remained unsold : *And provided*, That before making such conveyance, such guardian shall give sufficient security, to be approved by the orphans' court, having jurisdiction of their accounts, for the faithful application of the stock received therefor.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 704.

**An Act**

To divide the township of Abington, in the county of Luzerne, into two wards.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Divided into  
two wards.

Boundaries.

That the territory, now included within the bounds of said township of Abington, in said county of Luzerne, be and the same is hereby divided into two wards, as follows, viz: beginning north of the residence of Job Gorton, in the line of Scott township; running thence westerly, to the south-easterly line of the borough of Wamsley; thence along the south line of said borough to the westerly corner of the same; thence westerly to the bridge, crossing the south branch of the Tunkhannock creek, near the mill pond of G. W. Palmer; thence westerly, along the south side of said mill pond, and north of lands of Alfred Reed, Solomon Morrow, John C. Shearman, Leonard Batchelor, and others, to the line of the township of Newton; all north of said line to be the North ward, and all south of said line to be the South ward; each of said portion of territory to be a distinct ward.

To be separate  
election dis-  
tricts.

Officers to be  
elected for each  
ward.

Township audi-  
tors, how to be  
elected.

Time of hold-  
ing elections.

Returns, when  
and how to be  
made.

Justices of the  
peace in com-  
mission, rela-  
tive to.

**SECTION 2.** That each of said wards shall constitute and form a separate election district, and the qualified electors, therein, shall, whenever necessary, vote for and elect, for each ward, one justice of the peace, one constable, one assessor, and two assistant assessors, one supervisor, one overseer of the poor, one school director, annually, so as, after the present board of directors are out of office, to give three directors to each ward; one judge, and two inspectors of election, to serve for the terms specified by law; and shall, together with the electors of the other ward, vote for and elect one township auditor, to serve for three years, or to fill a vacancy, should any occur, in the board of auditors; which elections shall be held, at the places hereinafter mentioned, on the second Friday of March next, and at the same time in each and every year thereafter, by the officers elected, or appointed, for such purposes; returns of said elections to be made as now provided by law: *Provided*, That one return judge from each ward shall meet together at the house now occupied by Isaac Trace, in said South ward, on the day after such election, and then and there add together the votes for auditor, in both wards, and give certificate, as now required by law; the person having the plurality of all the votes given, in both wards, being returned as duly elected: *Provided further*, That the justices of the peace, now commissioned and acting, shall continue to hold their offices during the continuance of such commissions, respectively, or until a vacancy occur by resignation, or otherwise.

SECTION 3. That the general and ward, or township elections, within said township, shall hereafter be held at the following places, viz: In the North ward, at the red school house, in the village of Bailey Hollow, and in the South ward, at the public house now occupied by Isaac Trace, at Clark's Summit Depot. Places for holding elections fixed.

SECTION 4. That the following persons, namely: Norval D. Green, as judge, John Patrick and Amasa Dean, as inspectors, shall be the officers to hold the township, or ward and general elections, in the North ward; and Hiram Nichols, as judge, and Job A. Northrup and Benjamin W. Reed, shall be the officers to hold the township, or ward and general elections, in the said South ward, until other officers be duly elected in said ward. Officers to hold first election.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 705.

## An Act

To incorporate the Providence Borough Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Theodore Vonstorch, S. Bristol, Silas Osterhout, Charles B. Campbell and William Vonstorch are hereby appointed commissioners, who, with their associates, successors, assigns, and such other persons as may hereafter become associated with them, as stockholders, be and are hereby made and created a body politic and corporate, by the name and style of the Providence Borough Water Company, and by that name, they and shall may have perpetual succession, and shall, in law, be capable of suing and being sued, pleading and being impleaded, in all courts and judicatures whatsoever, and, also, contracting, and being contracted with, relative to the business and objects of the said corporation; and they may have a common seal, and may change and alter the same, at pleasure, and shall have power to take and hold such real estate, in fee simple, or otherwise, as may be necessary for carrying out the purposes of said corporation, not exceeding two acres of land; and, in their corporate name, to make, execute and issue, Commissioners.  
Name.  
Privileges.  
Seal.  
Real estate.

**Authorized to issue obligations, &c.**

**Proviso.**

obligations, created for the purchase money of the same, or for the purchase of machinery, fixtures, or engines, and other necessary effects of said corporation, as may be deemed expedient: *Provided*, That such liabilities shall be created only for the purposes stated in this act.

**Powers.**

**SECTION 2.** That the said company shall have power to provide, erect and maintain all works, machinery and fixtures, necessary, or proper, for making, raising, carrying and introducing, into the borough of Providence, Luzerne county, pure water, and for that purpose may provide, erect and maintain, all proper buildings, cisterns, or reservoirs, for the introduction and reception of the water so introduced; and for this purpose, they are authorized and empowered, by themselves, their agents, engineers, artizans and workmen, to erect fixtures, and take water from any stream running into, or through, said borough, and with their workmen, tools, carts, wagons, horses and cattle, to enter upon lands and enclosures, streets, lanes, alleys, roads, highways and bridges, as may be necessary to occupy, or to obtain necessary materials, for the construction of said works, and to occupy, ditch, and lay pipes along and through any of the said streets, lanes, alleys, roads and highways, and, from time to time, repair the same; and if any damage is done to private property, the said company shall make compensation thereof, in the manner hereafter provided.

**Capital stock.**

**SECTION 3.** That the capital stock of said company shall consist of twelve thousand dollars, to be divided into twenty-five hundred shares, of fifty dollars each, and the said company shall have the right to increase their said capital stock, from time to time, as the board of directors shall deem necessary:

**Limitation.**

*Provided*, That the capital stock shall not exceed twenty thousand dollars; that the commissioners, before named, or any three of them, after having given notice in at least

**Subscriptions, relative to.**

one newspaper, published in the county of Luzerne, for a period of at least three weeks before the time fixed for opening the books to receive subscriptions, shall proceed to open subscription books, at such place, or places, named in the notice; for which purpose, the books shall be kept open for at least five days, after which time, they may adjourn from time to time, or from place to place, until the necessary amount is subscribed; that when the books are opened, the persons subscribing shall pay to such person, as may be designated by the commissioners, one dollar on each share subscribed; that when five hundred shares are subscribed, the commissioners shall certify the same to the governor, who shall, thereupon, issue his letters patent, constituting and declaring the directors and company a body politic, for the purpose hereinbefore named.

**When letters patent to be issued.**

**Organization.**

**SECTION 4.** That the commissioners, on the receipt of the letters patent, shall elect, from the stockholders, five directors, one of whom shall be the president, treasurer and secretary, to be designated by the directors, to hold their offices until the first day of January, Anno Domini one thousand eight hundred and sixty-five, at which time the stockholders shall meet, at a place designated, and elect a president, five direc-

**Election of officers.**

tors, a treasurer and secretary, to serve for one year; and annually thereafter, shall elect a like set of officers, to serve for a like period.

SECTION 5. That the said company shall have the authority to make and adopt such by-laws, rules and regulations, as they may deem proper: *Provided*, That the same do not conflict with the constitution and laws of this commonwealth. By-laws.

SECTION 6. That whenever the parties cannot agree upon the damages claimed for lands, or materials, taken by the Providence Borough Water Company, in the prosecution of their work, the company may tender a bond, and proceed in all respects as provided in the second section of the act of assembly, entitled "A supplement to the act incorporating the Pennsylvania Coal Company," approved seventh March, Anno Domini one thousand eight hundred and forty-nine. Mode of settling damages.

SECTION 7. That the president and directors shall procure printed certificates of stock, which, on being signed by the president and treasurer, and sealed with the corporate seal, shall be delivered to each stockholder, transferable at his pleasure, on the same, subject, however, to all payments due, and to become due, thereon; and when such assignment shall have been made, and entered upon the books of said company, the holder shall become a member of said company; and in every election, the stockholders of the said company shall be entitled to one vote for each share of stock, by him, or them, held: *Provided however*, That no assignee, or transferee, shall be entitled to vote at any regular, stated or special meeting of the company, unless his certificate of transfer has been entered upon the books of the company, three days before such meeting or election. Certificates of stock.  
Transferable.

SECTION 8. That if any original subscriber, or his assignee, shall refuse, or neglect, to pay any instalment, called for by said company, at the place appointed, and the same shall remain unpaid for thirty days, after the time appointed, he shall, in addition to the instalment called for, pay at the rate of one per centum per month, for delay; and in case the delay should extend so long, that the penalty shall absorb or equal the amount, paid in by the said stockholder, or assignee, it shall be in the power of said company to forfeit all payments, and stock, to be disposed of, by the said company, as will best promote their objects and interests. Penalty for refusal, or neglect to pay instalments.

SECTION 9. That the said Providence Borough Water Company shall organize, and commence the construction of their work, before the first day of January, one thousand eight hundred and sixty-five, and complete the same, within five years from that date, and shall pay into the state treasury a tax of one-half of one per centum upon the capital stock, in four quarterly payments. When work to be commenced and completed.  
Tax to state.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 706.

**An Act**

Relating to the pay of jurors and witnesses, in the counties of Perry and Juniata.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the pay of jurors and witnesses, in the counties of Perry and Juniata, shall be as follows, to wit: That jurors shall each receive the sum of one dollar and fifty cents per diem, for each day on which they shall necessarily attend at the several courts of said counties; and that witnesses, duly subpoenaed to attend the said several courts, shall each receive the sum of one dollar per diem, for each day on which they shall necessarily attend, as aforesaid: *Provided,* That the mileage of both jurors and witnesses shall be, as heretofore, by law provided.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 707.

**An Act**

Relative to the assessment and collection of taxes, for the relief of the families of soldiers, in the borough of Manchester, and county of Allegheny.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Manchester, in the county of Allegheny, are hereby authorized and empowered to, annually, assess and levy a tax, not to exceed five mills on the dollar, on all property, real and personal, liable to state and county tax, within the limits of said bo-

rough, for the relief of the families of soldiers in the service of the United States; which said tax shall be assessed, levied and collected, in the same manner as other borough taxes are assessed, levied and collected, in the said borough.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 708.

## An Act

To authorize the school directors of Newberry and Fairview townships, in the county of York, to refund certain moneys, borrowed to pay bounties to volunteers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the school directors, of the townships of Newberry and Fairview, in the county of York, be and they are hereby authorized to borrow a sum of money, sufficient to refund to such persons as subscribed and paid money, for bounties to volunteers, in said townships, under the first call of the President of the United States, subsequent to the seventeenth of October, one thousand eight hundred and sixty-three, and not reached under the provisions of the general law, approved March twenty-fifth, one thousand eight hundred and sixty-four.

School directors  
authorized to  
borrow money.

SECTION 2. That the said board be authorized to levy and collect a tax, as provided in the general bounty law, with its supplement, sufficient to pay the sum borrowed, as stated in the first section.

To levy tax  
therefor.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 709.

**An Act**

To abolish the Cochranville school district, in Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to create the Cochranville school district, out of parts of West Fallowfield and Highland townships, in the county of Chester," approved April fourteenth, one thousand eight hundred and sixty-three, and the supplement thereto, approved March seventeenth, one thousand eight hundred and sixty-four, be and the same are hereby repealed, to take effect on and after the first Monday in June next: *Provided*, That the directors of the school district of West Fallowfield township, aforesaid, assume the payment of the debt, incurred by the said Cochranville school district, in the purchase of a lot of ground, and the erection of a school house: *And provided further*, That the school of said Cochranville school district be placed upon the same footing as the other schools, in said township of West Fallowfield.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 710.

**A Supplement**

To an act authorizing the citizens of Palmer township, Northampton county, to issue bonds and disburse the proceeds of the sale thereof as bounties to volunteers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That any bonds, warrants, or certificates of indebtedness, that may have been issued, in the manner prescribed by the provi-

certain bonds,  
warrants, &c.,  
legalized.



sions of the act, to which this is a supplement, and subsequent to the first day of January, Anno Domini one thousand eight hundred and sixty-four, are hereby declared to be legal and valid, as if full and legal authority had existed, for the issuing and making of the same, when they were issued and made; and the provisions of the fourth, fifth and sixth sections of the act, to which this is a supplement, shall be so construed as to authorize the redemption of all bonds issued, subsequent to the date hereinbefore mentioned.

Construction of certain provisions.

SECTION 2. That whenever the citizens of any township, in Northampton county, may desire to avail themselves of the provisions of the act, to which this is a supplement, they shall petition to the court of the county, aforesaid; which court shall, thereupon, appoint three competent and suitable citizens of the township, so petitioning, or confirm the appointment of such citizens, not exceeding three in number, as may have been selected by the citizens of the township, or, if it be in vacation time, the president judge of the court shall so appoint, or confirm; and the commissioners, thus appointed, or confirmed, shall have and exercise all the powers that have been conferred by this supplement, and the act to which this is a supplement, upon the commissioners designated for the township of Palmer.

Court to appoint, or confirm, commissioners, for any township petitioning, &c.

To have the same powers as commissioners of Palmertownship.

SECTION 3. That all laws, or parts of laws, inconsistent herewith, shall, in the event of the acceptance of this supplement, and the act to which this is a supplement, by the citizens of any of the townships of Northampton county, be inoperative in the townships so accepting.

Repeal.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 711.

## A Supplement

To an act for the prevention of vice and immorality, and of unlawful gaming, and to restrain disorderly sports and dissipation, passed the twenty-second day of April, Anno Domini one thousand seven hundred and ninety-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That so much of the first section of said act of assembly of April twenty-second, one thousand seven hundred and ninety-four, as forbids the delivery of milk after nine o'clock in the forenoon, and before five o'clock in the afternoon, of the Lord's day, commonly called Sunday, be and the same is hereby repealed, so far as relates to the county of Allegheny.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 712.

## An Act

To authorize and confirm the sale of the bridge and franchises of the Dingman's Choice and Delaware Bridge Company.

WHEREAS, The Dingman's Choice and Delaware Bridge Company, incorporated by an act of the legislature of this commonwealth, passed the eleventh day of February, in the year of our Lord one thousand eight hundred and thirty-four, have become insolvent, and unable to pay their debts:

*And whereas,* The bridge, erected by said company, across the Delaware river, in pursuance of said act, and of a corresponding act of the legislature of the state of New Jersey, has been carried away, so that said corporation can no longer use said bridge, or exercise the franchises conferred upon them by the said acts of the legislatures of this commonwealth and of the state of New Jersey:

*And whereas,* Also, one Cornelius M'Carty, a creditor of said corporation, has filed a bill of complaint, in the court of chancery, of the state of New Jersey, against the said corporation, for the appointment of receivers, and to procure a sale of said bridge, and of the chartered rights, privileges and franchises, belonging to said company, and appertaining to said bridge, according to the provisions of an act of the legislature of said state of New Jersey, entitled "An Act to prevent frauds by incorporated companies," approved April the fifteenth, eighteen hundred and forty-six:

*And whereas,* Also, such proceedings have been had, in the said cause, in the court of chancery, of New Jersey, that Robert Stoll, of the county of Sussex, in the state of New Jersey, and Hyman Westbrook, of the county of Pike, in this

commonwealth, have been appointed receivers of said corporation, and they are about to proceed, according to the provisions of the last said act, to make sale of the said bridge, and of the chartered rights, privileges and franchises, belonging to said company, and appertaining to said bridge; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said appointment, by the court of chancery, of the state of New Jersey, of Robert Stoll and Hyman Westbrook, as receivers of the Dingman's Choice and Delaware Bridge Company, be and the same is hereby ratified and confirmed; and that any sale, or lease, which shall be made by the said receivers, of the said bridge, and of the chartered rights, privileges and franchises, of said company, and appertaining to said bridge, which shall be in accordance with the laws of the state of New Jersey, and which shall be confirmed by the court of chancery, of said state, is hereby ratified and confirmed, and shall be and the same is hereby declared to be as valid and effectual, in law, to all intents and purposes, as if such sale, or lease, had been made by virtue and in pursuance of a law of this state.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 713.

## An Act

Establishing the Fishing Creek ferry.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a public ferry, to be known as the Fishing Creek ferry, is hereby established across the Susquehanna river, from the lower corner of land of William A. Brown, where it joins land of E. Sweigart, in Lancaster county; thence across the said river, in a straight line westward, to a point four hundred yards below Rollin's point, on the west, or York county side

Ferry authorized.  
Location.

of said river; thence up the shore of said river, to a point above Rollin's point, directly opposite a corner of lands of said Brown and Felix Sweigart; thence across said river eastward, to said corner, on Lancaster county shore; thence down the eastern shore of said river, to place of beginning.

To be kept in  
good order, &c.

Tolls.

Subject to.

Prohibition.

SECTION 2. That William A. Brown, his heirs and assigns, shall own, establish, and have exclusive right to use, the said ferry, and keep the same in good order and repair, and furnish all needful facilities for crossing said river, and receive, as tolls, such amounts as are customary, and, by law, allowed; the said owner to be subject to all the general laws of this commonwealth regulating ferries.

SECTION 3. That all other persons are hereby prohibited from using said river, for the purpose of a ferry, within the limits allowed said William A. Brown, in the first section of this act.

Penalty for the  
violation of any  
of the privileges  
granted.

SECTION 4. That said William A. Brown, his heirs, or assigns, shall be and are hereby authorized to sue for and recover, before any alderman, or justice of the peace, in the counties of Lancaster and York, any sum, not exceeding five dollars, for each and every violation of the privileges to him granted, in this act, from any person, or persons, ferrying within the limits herein mentioned.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 714.

## A Further Supplement

To an act to establish a health office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, approved January twenty-ninth, Anno Domini one thousand eight hundred and eighteen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the port physician shall, from and after the passage of this act, receive, annually, a salary of twelve hundred dollars,

to be paid quarterly, by an order drawn by the board of health on their treasurer, any law to the contrary notwithstanding.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 715.

## An Act

To incorporate the Franklin Hotel Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Bleakley, J. W. Blanchard, S. T. Kennedy, Geo. W. Brigham, William H. Kemble, P. W. Raymond, and such other persons as may become associated with them, in the manner hereinafter provided, shall be and they are hereby constituted a body corporate and politic, by the name of the Franklin Hotel Company, and be able and capable to sue and be sued, and may have and use a common seal, and shall have all the powers, faculties, franchises and rights, necessary and proper, for the erecting and conducting of a public hotel, in or near the borough of Franklin, in the county of Venango, and shall have power and authority to purchase, lease, hold and use property, real and personal, necessary for the said purpose.

SECTION 2. That the capital stock of said company shall consist of two thousand shares, of fifty dollars each; and each share of the said stock shall entitle the holder thereof to one vote, in all meetings of the stockholders of said company, to be given either in person or by proxy; and for the purpose of obtaining subscriptions to the said capital stock, books shall be opened under the direction of the said James Bleakley, J. W. Blanchard, George W. Brigham, William H. Kemble, P. W. Raymond, or a majority of them, at such time and place, or places, as the persons above named, or a majority of them, shall deem expedient; and payment may be made for the whole, or any part of, such subscriptions, either in lands, other property, or money, and if in lands, or other property, then at such price, or valuation, as may be agreed upon by those receiving such subscriptions; and in case the said company

shall organize and proceed to act as a corporate body, before a sufficient amount is subscribed to the capital stock, for the profitable management of the affairs of said company, the president and directors of said company shall have power at any time thereafter, and as often as they may deem necessary, and without opening anew books of subscription, to receive further subscriptions to the said capital stock, and to augment the same to such an amount, as may be authorized and fixed at any general meeting of the stockholders of said company.

Corporators to act as directors, until election.

Vacancies.

Election of officers, when to be held, &c.

Failure to elect not to work a forfeiture of charter.

By-laws.

Proviso.

Bonus.

Tax on dividends.

May sell, or lease, property.

SECTION 3. That the affairs of said company shall be managed by the persons named in the first section of this act, who are hereby constituted directors of the said company until directors shall be elected, as hereinafter provided; and in case of the decease of one or more of the said persons, or their refusal to act as directors, the remaining persons shall have power to select other persons as directors in their stead; and whenever an amount of capital stock of the said company shall be subscribed, sufficient, in the judgment of said directors, to justify it in proceeding to the prosecution of its business, a general meeting of the stockholders shall be held at such time and place, as shall be fixed by said directors, at which, a president and four directors shall be elected, to serve for the term of one year thereafter, and until the next election, and subsequent elections, for president and directors, shall be held annually thereafter, at such place as the by-laws of said company shall prescribe: *Provided*, That a failure to elect a president and directors, shall not work a forfeiture of this charter; and the then existing president and directors shall retain their offices, until an election for president and directors shall take place; and the said company shall have the power to make all such by-laws, rules and regulations, as may be necessary and advantageous, for the management and government of the affairs of said company: *Provided*, That the same shall not conflict with the laws of this state or the United States.

SECTION 4. That the said company shall pay, into the treasury of this commonwealth, a tax of one-half of one per centum of the capital stock, as herein authorized, payments to be in four equal, annual, instalments, the first to be paid, one year from the approval of this act; and the said company shall, also, pay such taxes on dividends, as are, or may be hereafter provided by any general law, taxing dividends of like corporations.

SECTION 5. That said company shall have the power to sell, or lease, at any time, its property, or any part thereof, that may be acquired under the provisions of this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 716.

*An Act*

To extend the act, entitled "An Act to amend the fee-bill, as to justices of the peace, in the counties of Erie and Crawford," to the counties of Cumberland, Allegheny, Franklin, Lancaster and Fulton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, entitled "An Act to amend the fee-bill, as to justices of the peace, in the counties of Erie and Crawford," approved March eighteenth, Anno Domini one thousand eight hundred and sixty-three, be and the same are hereby extended to the counties of Cumberland, Allegheny, Franklin, Lancaster and Fulton.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 717.

*An Act*

To punish persons for carrying concealed deadly weapons, in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That any person, within the limits of the county of Schuylkill, who shall carry any fire arms, slung shot, dirk knife, or other deadly weapon, concealed upon his person, with the intent, therewith, unlawfully and maliciously, to do injury to any other person, shall be deemed guilty of a misdemeanor, and upon the conviction thereof, shall he sentenced to undergo solitary confinement, at hard labor, in the prison of said county, for a period of not less than one month, nor more than one year, and pay a fine of not less than twenty-five, nor more than

one hundred dollars, or either, or both, at the discretion of the court; and the jury trying the case may infer such intent, as aforesaid, from the fact of the said defendant carrying such weapon, in the manner as aforesaid.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 718.

## An Act

To repeal an act to incorporate the Erie City Passenger Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act to incorporate the Erie City Passenger Railroad Company, approved April thirteenth, one thousand eight hundred and sixty-four, be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 719.

## An Act

Extending the provisions of an act, relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved July eighteenth, one thousand eight hundred and sixty-three, and the supplements thereto, to the county of Berks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*



That the provisions of the act of assembly, approved the eighteenth day of July, Anno Domini one thousand eight hundred and sixty-three, entitled "An Act relating to corporations for mechanical, manufacturing, mining and quarrying purposes," and the supplements thereto, be and the same are hereby extended to the county of Berks.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 720.

## An Act

Supplementary to an act relating to Coroners, approved April sixteenth, one thousand eight hundred and forty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the fees to be received, by the coroner of the city and county of Philadelphia, for his own services, shall not exceed the sum of thirty-five hundred dollars per annum; in addition to which sum, however, he shall be allowed nine hundred dollars per annum, for the payment of clerk hire.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 721.

**An Act**

To annex the tract of land of Zerah B. Sheppard to the county of Butler.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the portion of the tract of land, of Zerah B. Sheppard, of Parker township, Butler county, that lies in the county of Armstrong, be and the same is hereby included within the limits of the township of Parker, Butler county, and the boundary line of said county is so far changed as to include said tract of land.

**HENRY C. JOHNSON,**

Speaker of the House of Representatives.

**JOHN P. PENNEY,**

Speaker of the Senate.

**APPROVED—**The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

**A. G. CURTIN.**

No. 722.

**An Act**

To promote the establishment of District and School libraries.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

District libraries may be established.

That whenever, by subscription, or otherwise, a collection of books, or funds, to purchase the same, shall have been obtained, to form a public library, in and for any common school district in this commonwealth, it shall be the duty of the board of directors thereof, for the time being, to select the most suitable school house therein, in which said library shall be placed, preferring, if otherwise expedient, the school house in which the district institute is held, and to provide, out of the school funds of the district, a suitable case, or cases, for said library, and for such additional books as may be annually added thereto.

Directors to select school house and provide cases.

SECTION 2. That it shall be the duty of said directors, to receive, into the district treasury, all moneys contributed, or otherwise obtained, for the purchase, or increase, of the district library, and to select and purchase the books therefor, or to appoint a committee of the board, or of not less than three citizens of the district, to make such selection and purchase; and also, from time to time, thereafter, to make additional selections and purchases, in the same manner, but that no books shall be donated, or placed in said library, without the approbation and consent of the selecting committee; nor shall the proper board of directors appropriate any of the school funds of the district to the purchase of books, for the library, except such works, of a strictly professional character, as shall be necessary and proper, for the study and improvement of the teachers of the proper district; and all moneys received by said board, for library purposes, shall be annually accounted for, at the settlement of its accounts, in the same manner as common school funds are now by law accounted for.

To receive contributions and purchase books.

Prohibition.

To render an annual account of moneys received.

SECTION 3. That the legal possession and ownership of the books, cases and other appendages of the district library, shall be and remain in the proper board of directors, and their successors in office, as trustees for the district; and that the felonious taking and carrying away thereof, or of any part thereof, or of any book, article of apparatus or furniture, from, or belonging to, any common school house, shall and is hereby declared to be larceny; and the breaking into a common school house at night, with intent to commit larceny, as herein set forth, or any other felony, shall and is hereby declared to be burglary; and that any larceny, or burglary, so committed, shall be punished as in other cases under existing statutes.

Possession and ownership to remain in the board of directors.

Felonious taking of property, or breaking into school house, how punished.

SECTION 4. That any person over twelve years of age, and resident in the proper district, whether contributor, or not, to the library, shall be entitled, without charge, to the use of the books thereof, according to the rules and regulations thereof; but that no book shall be issued to any minor, without the order of his or her parent, guardian, or master, who shall, thereupon, become liable to all the penalties for the abuse, loss or undue detainment of any book by said minor; and all entries, of the issue of books, duly made, in the library list, by the librarian, at the time of such issue, shall be *prima facie* evidence thereof, in a suit for any penalty, or for the value of any book.

Who entitled to use books.

Parents, guardians, &c., liable for loss, or abuse, of books, by minors.

SECTION 5. That the proper board of directors, and their successors in office, shall make, and from time to time, as shall be proper, alter and amend the necessary rules and regulations for the care, issue, use and return, of the books of the district library, and ordain such penalties for the abuse, loss, or undue detainment thereof, as to them shall seem just and proper; which penalties shall be recoverable, as debts of like amount are now, by law, recoverable; and such penalties shall either be payable to the librarian, in compensation of his services, or into the library fund, as the proper board of directors shall determine.

Directors to make rules and fix penalties.

Librarian and assistant, relative to.

SECTION 6. That the secretary of the proper board of directors, or such other member as the board may select, shall be the general librarian of the district library, and that the principal teacher of the school, held in the house in which the library is kept, shall be the assistant librarian, while in charge of said school; and while so in charge, such assistant librarian shall have the charge of the library, so far as relates to the care, issue and return, of books, and the keeping of the list thereof; but that neither the librarian, as secretary, nor the assistant, as teacher, on going out of office, shall receive his final instalment of salary, till he shall have first accounted for all the books belonging to the library, to the satisfaction of the proper board.

School libraries

SECTION 7. That when the pupils, or other persons, connected with any common school, shall have procured books, or funds for the purchase of books, for a school library therefor, it shall be the duty of the directors, of the proper district, to provide, out of the school funds of the district, a suitable case therefor, and also, for such additions as may subsequently, from time to time, be made thereto; and the selection and purchase of the books, for such school library, and of all additions thereto, shall be made by a committee, composed of the teacher of the school, for the time being, and of not less than two parents of pupils attending such school, to be chosen by all the attending pupils; but that no books shall be donated to, or placed in, said library, without the approval of the proper selecting committee, and that it shall not be lawful for the board of directors to appropriate any of the funds of the district to the purchase of books for said school library.

Selection and purchase of books, relative to.

Prohibition.

Only pupils entitled to use of books.

SECTION 8. That all pupils, of the proper school, and no other, shall be entitled to the use of the books of said library, at their homes, subject to such rules, relating to the care, use and return thereof, as the aforesaid committee, for the selection and purchase thereof, shall, from time to time, establish; and that one of the pupils, of said school, to be selected by the other pupils, with the consent of the selecting committee aforesaid, shall be the librarian of the school library.

Librarian.

Ownership to be in directors.

Penalties for loss of books, &c.

SECTION 9. That the legal possession and ownership of the school library shall be in the proper board of directors; the felonious taking thereof shall be larceny; the issue list thereof shall be *prima facie* evidence of delivery, and the penalties for the abuse, loss, or detention, of books, shall be recoverable as hereinbefore provided, in the case of district librarian.

School directors authorized to receive bequests, endowments, &c., for establishment, or support, of libraries.

SECTION 10. That it shall be lawful for the common school directors, of any district, to receive, hold and use, any devise, bequest, gift, grant, or endowment, of property, whether real, or personal, which may be made to them, for the establishment, increase, or support, either of a district, or of a school, library, in existence, or to be established, under the provisions of this act, and the same to apply to the establishment, increase and efficiency thereof, subject, however, to any terms, conditions, or restrictions, attached to such devise, bequest, gift, grant, or endowment, and not inconsistent with the purposes of this act; and the said directors, and their successors in office, shall have authority to bring suit, and do all other

things necessary for the recovery, use and application, of the same, to the purposes aforesaid.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 723.

## An Act

Supplementary to the acts relating to Special Courts.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the power to hold special courts, under the provisions of the act, passed the fourteenth day of April, Anno Domini one thousand eight hundred and thirty-four; the fourth day of April, Anno Domini one thousand eight hundred and forty-three; the tenth day of April, Anno Domini one thousand eight hundred and forty-nine; and the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three, shall be, and is hereby, extended to all the judges of the several district courts, and the associate judges of the courts of common pleas, in this commonwealth, who are learned in the law, and required so to be commissioned; that every district and associate judge, thus holding a special court, shall, for the time being, be the president of the said court, having all the powers and jurisdictions of the proper president of the several courts of the county, wherein the special court shall be held, in the matters coming before him, in the said special court.

**SECTION 2.** That for the purpose of expediting and furthering the business of special courts, holden by any president, district, or associate judge, where matters shall be held under advisement by him, and points reserved, and when motions for a new trial, and in arrest of judgment, and other questions, shall be left pending, after the termination of the term, or session, the judge, so holding the said special court, shall have power, in vacation, to determine the matters, so held under advisement, reserved, and left pending, and to send his decision, in writing, to the prothonotary, or clerk, of the court, as the case may be, (with his reasons, if he deem it necessary,) to be filed of record, in the cause, either in vacation or in term time, with

Power to hold special courts extended to all judges of the several district courts, and associate law judges of courts of common pleas.

Authorized to determine, in vacation, matters held under advisement, reserved, &c., and to send decision to prothonotary or clerk, to be filed of record.

Execution, or other proceeding, not to be taken, until notice of entry be given to opposite party.

Judge may order parties, or their attorneys, to submit depositions, arguments, &c.

the same effect as if decided and entered in term time: *Provided*, That no execution, process, or other proceeding, shall be taken upon any judgment, decree, or order, so entered, in vacation, by the party in whose favor the same shall be determined, until he shall have given due written notice of the entry of the same to the opposite party, or his attorney, who shall be entitled to the same stay, writ of error, appeal, or other remedy, or proceeding, after the service of the said notice, as he would have had, if the said judgment, decree, or order, had been entered in term time; for the purpose of enabling the said judge to decide, in any case where a hearing, or an argument, may be required, he shall have power to make an order, requiring the parties, their attorneys, or solicitors, to submit their depositions, exhibits, and written arguments, to him, at a time and place, to be named by him, and also to make all orders, necessary to meet the justice of the case.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 724.

## An Act

To change the venue in a certain case.

WHEREAS, An indictment is now pending in the court of oyer and terminer, of Monroe county, against Jeffrey Wells Wetherill, for the murder of Aaron Bartron :

*And whereas*, The said defendant alleges, that he can not secure an impartial trial by a jury in that county ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That a certain indictment, now pending in the court of oyer and terminer, of the county of Monroe, against Jeffrey Wells Wetherill, for the murder of Aaron Bartron, which was, by the grand inquest of the commonwealth of Pennsylvania, inquiring for said county of Monroe, returned a true bill, at February term, one thousand eight hundred and sixty-four, to wit : on the twenty-second day of February, Anno Domini one thousand eight hundred and sixty-four, be and the same is hereby removed to the court of oyer and terminer, in and for the city

and county of Philadelphia, for trial, by a jury, or juries, at the next June term, or any subsequent term of said court, together with the record of said cause, and all the papers relating thereto; and that the said court of oyer and terminer, in and for the city and county of Philadelphia, is hereby authorized to issue all necessary process, to enforce the attendance of witnesses, and to proceed to trial, verdict and sentence, and in case of acquittal, to a discharge of the said Jeffrey Wells Wetherill, in the same manner, and with the same force and effect, as the said court of oyer and terminer, of Monroe county, might, or could, do; and the sheriff, of the county of Monroe, shall on, or before, the twentieth day of May, Anno Domini one thousand eight hundred and sixty-four, remove and convey, from the jail of the county of Monroe, where he is now confined, the said Jeffrey Wells Wetherill, and deliver him into the custody of the keeper, or keepers, of the Philadelphia county prison, who are required to receive the said Jeffrey Wells Wetherill into custody, in the said prison, there to be safely kept, until he shall thence be delivered by due course of law: *Provided*, That the city and county of Philadelphia shall not be subjected to any costs, or expenses, in consequence of, or by reason of, the transfer and removal of the aforesaid indictment, or in any consequence, or by reason of the removal of the said Jeffrey Wells Wetherill to the Philadelphia county prison; but the same, or any part thereof, which would otherwise fall on the said city and county of Philadelphia, shall be paid by the commissioners of Monroe county, on orders of the commissioners of the city of Philadelphia: *And provided further*, That the commissioners, of the county of Monroe, shall pay to the sheriff of Monroe county such sum as may be necessary for his expenses, in removing and conveying the said Jeffrey Wells Wetherill to the Philadelphia county prison: *And provided further*, That in case of the refusal, or neglect, of said sheriff, of the county of Monroe, to remove the prisoner, as aforesaid, to said county of Philadelphia, on, or before, said time specified, it shall be the duty of the sheriff, of said county of Philadelphia, to remove said prisoner for trial, as aforesaid, and that all costs and charge, attending his removal, be charged to said sheriff, of said county of Monroe.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 725.

**An Act**

To increase the pay of jurors and witnesses, in the county of Lancaster.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That from and after the passage of this act, the per diem allowance of persons attending the several courts of the county of Lancaster, as jurors and witnesses, shall be, for jurors, one dollar and fifty cents per day, and for witnesses, one dollar per day; mileage to remain as now provided by law.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 726.

**An Act**

Relating to the borough of Millersburg, in the county of Dauphin.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the provisions of the act of assembly, approved April third, Anno Domini one thousand eight hundred and fifty-one, entitled "An Act regulating boroughs," be and the same are hereby extended and applied to the borough of Millersburg, in the county of Dauphin, with the following modifications:

Provisions of  
general act ex-  
tended to.

Corporate offi-  
cers, election of.

**SECTION 2.** The corporate officers, of the borough of Millersburg, shall consist of a chief burgess, an assistant burgess, (whose respective terms of office shall be two years,) and six councilmen, who shall, at the next regular election, for borough officers, be elected as follows, namely: two councilmen for one year, two, for two years, and two, for three years; and thereafter, two shall be elected annually, to serve for three years: *Provided*, That the burgess and council shall, at any



time, and at all times, have power to fill any vacancy which may exist, or which may, at any time, occur, either by death, resignation, or otherwise, either in the office of chief burgess, assistant burgess, or council, to serve until next election. Vacancies.

SECTION 3. That the elections, for borough officers, shall hereafter be held on the same day, and during the same hours, and by the same election officers, as provided by the existing laws of this commonwealth, for the election of judge and inspectors of elections: *Provided*, That all the borough officers shall be voted for, on one slip of paper, and headed "borough officers." Borough elections, when and how to be held.  
Proviso.

SECTION 4. That upon the petition of any person, or any number of persons, freehold owners of lots, or out-lots, or other tracts of land, in any section lying adjacent to said borough, to declare, by ordinance, the admission of the section owned and possessed by the person, or persons, so petitioning; and the said section shall forever, thereafter, be deemed and taken, and allowed, to be a part of said borough, and subject to the jurisdiction and government of the municipal authority of said borough, as fully as if the same had been originally a part of said corporation. Upon petition of owners, lots adjacent to borough may be annexed.

SECTION 5. That any person, or any number of persons, residing within the limits of said borough, owning any lot, or lots, out-lots, or other tracts of unseated lands, adjacent to, or in any way contiguous to, said borough, shall, upon petition, or application, to the school directors of said borough, be allowed to pay the taxes levied upon said property, for school purposes, into the school fund, and for the use and benefit of the schools of said borough: *Provided*, That the rate per centum, of the valuation and assessment, shall, in no such case, be more than the same is valued and assessed, in the district in which such property is located: *Provided*, That the school directors, of said borough, shall immediately, upon such application, or petition, and the necessary action thereon, proceed to notify the school directors of the district, wherein such lands are located, of the action had therein: *Provided*, That all acts, or parts of acts, inconsistent with this act, be and the same are hereby repealed, so far as relates to the borough of Milersburg, and the districts adjacent. School taxes may be paid into borough fund, &c.  
Proviso.  
Proviso.  
Repeal.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 727.

**An Act**

Authorizing the borough council of the borough of Mahanoy City to construct water works, borrow money and appoint water commissioners.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Council to elect  
three water  
commissioners.

That the borough council of the borough of Mahanoy City shall have power to elect, by ballot, three persons, as water commissioners, one person to serve for the term of one year, one person to serve for the term of two years, one person to serve for the term of three years, and thereafter they shall, annually, elect one person to serve for the term of three years: *Provided*, That a majority of the commissioners, so elected, shall be members of the council, and that, before taking their seats as commissioners, they subscribe to an oath, before any justice of the peace, or other officer, of competent jurisdiction, for a faithful performance of their duties, during their term of office.

**Proviso.**

To be sworn.

Commissioners,  
in conjunction  
with council,  
to issue coupon  
bonds.

**SECTION 2.** The said commissioners, in conjunction with said council, shall have power to issue coupon bonds, to the amount of seventy-five thousand dollars, with the privilege of extending the same to one hundred thousand dollars; said bonds to bear interest at the rate of six per cent per annum; said interest to be payable semi-annually; bonds to be redeemable in five years, the council having the privilege of renewing the same for ten years: *Provided*, That no bonds shall be issued, of a less denomination than fifty, nor a greater than five hundred, dollars; the amount received from said bonds to be applied to the erection and construction of water-works, and to the introduction of fresh water into the said borough, from Cold run, or any other point, which may be determined upon by said council and commissioners; that the said commissioners and council, for the purposes aforementioned, be and they are hereby authorized to construct a basin, or reservoir, for water, to hold a sufficient supply for the citizens of said borough, on ground to be procured for said purpose, and shall proceed to construct the same, dig trenches and lay down pipes, where deemed necessary, along the streets and alleys of said borough, and shall have liberty, at all times, to renew and repair the same, shutting up and amending any trenches which may be made, as soon as possible.

**Proviso.**

How money to  
be applied.

Powers of com-  
missioners and  
council.

Compensation  
for use of wa-  
ter, relative to.

**Proviso.**

**SECTION 3.** That the citizens shall have the use of the water, for domestic and other purposes, for such reasonable compensation as shall, from time to time, be agreed upon by the said council and commissioners, having regard to the quantity of water which applicants are likely to consume: *Provided*, That the owners of the freehold, on and upon which, said water is taken and used, shall, in all cases, be the parties with whom

such contract, for the use of the water, shall be made, and the said real estate be bound for and liable for the payment of the same, excepting and reserving to the council and water commissioners the right to contract with the lessees, or tenants, if they see proper to do so.

SECTION 4. That the said council, and water commissioners, and their successors in office, their superintendents, engineers and laborers, with their tools, instruments, carts, wagons and other carriages, and beasts of burden, or draft, may enter upon any lands, streets, alleys, lanes, or highways, whenever such entry shall be necessary, for the purpose of bringing said water from the reservoir, or of introducing said water to breakers, collieries, shafts, mills, slopes, or engines, within and about the said borough, and to lay pipes, for the conveying of water through said lands, from time to time, and at all times thereafter, and if necessary, for the purpose of taking up, repairing and laying down again, said pipes, as often as the same may be required; and also, to take and convey sand, stone, earth and other material, necessary to the construction of said water works, or to the proper laying down of the said pipes.

SECTION 5. That if the parties cannot agree upon the compensation to be made to the owner, or owners, of any such lands, enclosures, public, or private, roads, or highways, it shall and may be lawful, for either party, to present his, or their, petition, to the court of quarter sessions, of the county, setting forth the facts, and praying the court to appoint proper persons to view the lands and premises, and value the same, or assess the damages; whereupon, the court shall appoint three suitable and disinterested persons, whose duty it shall be, after being first duly sworn, or affirmed, to view the lands and premises, and injuries complained of, and make report, of the damage done, or value of said lands, to the next court of quarter sessions; upon which report, judgment shall be entered and execution issued, as in other cases of debt; nevertheless, should either party feel himself, or themselves, aggrieved, they shall have the privilege of filing exceptions to said report, at any time during the first week of the court, and, also, a right to a writ of error; for which services, the viewers shall be entitled to one dollar per day, and the officers of the court the same fees as for similar services, or proceedings, in other cases; to be paid, in all cases, by the party against whom report shall be made.

SECTION 6. That the council, and water commissioners, of the borough of Mahanoy City, in council assembled, shall have full power and authority, to pass, ordain and enact, all laws and ordinances, to enable them to convey the said water through the borough, in all directions, and to, into, or upon, any breaker, colliery, slope, shaft, mill, or engine, outside of said borough, and to fix hydrants, or fire plugs, wheresoever they may deem proper, and to fix and determine the uniform rates, or prices, to be paid, by the citizens, for the use of the said water, and generally to do all things requisite and necessary for carrying into full and perfect effect all the objects contemplated by this act.

Authorized to enter upon lands, streets, &c.

Damages, how to be assessed.

Judgment to be entered and execution issued, upon report of viewers to court.

Exceptions may be filed, &c.

Compensation of viewers, &c.

Ordinances in relation to conveying water through borough, rates, &c.

How water  
rents to be ap-  
plied.

SECTION 7. That the water rents accruing shall be applied entirely to the payment of the interest, principal and expenses, of the debt contracted for the construction of said works, until the whole is paid.

Duty of com-  
missioners.

SECTION 8. That it shall be the duty of the said commissioners to carry out, execute, or have executed, the ordinances, by-laws, or plans, adopted by the council and themselves.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 728.

## A Further Supplement

To an act incorporating the Farmers' Mutual Fire Insurance Company, at York, Pennsylvania.

Name changed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Farmers' Mutual Fire Insurance Company aforesaid, shall be hereafter known by the name, style and title, of the Farmers' Mutual Fire Insurance Company of Pennsylvania.

Authorized to  
purchase  
ground rents,  
mortgages,  
bank stocks,  
&c.

SECTION 2. That it shall be lawful for said company to employ and use such part, or parts, of the moneys received by them and the profits thereof, as may be deemed expedient, in the purchase of any ground rents, mortgages, or in any loans, on good and sufficient security, or bank stocks, stocks of the United States, or of this commonwealth; but no money shall be drawn from the funds of said company, for the purpose of making dividends, or dividing profits, nor for any other purpose than to defray the current or incidental expenses of the corporation, and such loss or damage as any member of said company may be justly entitled to.

Prohibition.

May purchase  
real estate for  
location of  
office.

SECTION 3. That it shall be lawful for said company, to purchase and hold such real estate, as may be deemed necessary and convenient, for the location of a suitable office, for transacting the company's business, and to rent, lease, or sell and convey, the same, or any part thereof, as may be deemed expedient: *Provided*, The amount, so expended, shall not exceed the sum of five thousand dollars.

Limitation.

SECTION 4. That it shall be lawful for the directors of said company, to consolidate the farmers' and merchants' classes, whenever a majority of the farmers' class shall deem it expedient to do so; which shall be determined by a vote of a majority of said farmers' class: *Provided*, That general notice of such consolidation be given, by printed handbills, and that each member, dissenting from such consolidation, shall have privilege to surrender his or her policy, and to demand the return of such portion of his or her deposit note, and cash premium, as shall remain unexpended, at the time of such surrender, or which may not be required to discharge existing liabilities of the company: *Provided*, That such surrender shall be tendered, within six months after such notice shall have been published.

Consolidation of certain classes authorized.

Notice to be given.

Members dissenting may surrender policies, &c.

Proviso.

SECTION 5. That the words, "within thirty days next after such alienation," in section ten, and the words, "in one or more newspapers, published in the borough of York," in section fifteen, of the original act, to which this is a supplement, be stricken out; and that so much of the said original act, as is hereby altered, or supplied, be and the same is hereby repealed.

Certain words in original act to be stricken out.

Repeal.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 729.

## An Act

To incorporate the Union Turnpike Road Company, and relative to the Oakland Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Phillips, John Paul, John M'Claren, William Boggs, James M. Bailey and William M'Kee, or any three of them, are hereby appointed commissioners, to open books, receive subscriptions and organize a company, by the name, style and title, of the Union Turnpike Road Company, with power to construct a turnpike road, from any point, in the borough of South Pittsburg, in the county of Allegheny, to connect with the Lower Saint Clair and Saw-mill Run Turnpike Road Company, at two points, one at, or near, an inn, kept by John Shuck, and the other at, or near, Bogg's bridge, across

Commissioners.

Title.

Route.

Authorized to use other roads.	Saw-mill run ; also, with power to construct a branch road, to connect with the South Pittsburg and Saw-mill Run Turnpike Road Company, by the shortest and best routes, as may be determined upon by the stockholders ; and to use, when necessary, any public, or private, road, on the routes so determined upon, subject to all the provisions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto, so far as the same are not inconsistent with the provisions of this act.
Subject to.	
Capital stock.	SECTION 2. The capital stock, of said company, shall consist of six hundred shares, of twenty-five dollars each ; and the said company may, from time to time, by a vote of a majority of the stockholders, present at a meeting called for that purpose, increase the said capital stock, if it shall be deemed necessary to carry out the true intent and meaning of this act ; and the stockholders may, in like manner, authorize the directors of said company to borrow money, for the purpose of carrying out the true intent of this act, and to mortgage their said roads, or any part thereof, and to pledge the tolls for the payment of the same.
May borrow money.	SECTION 3. The said company shall have power to erect and set up gates, and collect tolls from persons, using any part of said roads, at not more than double the rates prescribed in the said act regulating turnpike and plank road companies, so soon as they shall have completed that portion of their road, lying between the borough of South Pittsburg and the summit of Coal hill, without the license and examination required by the twelfth section of aforesaid act.
When tolls may be collected.	
Grade.	SECTION 4. The said company, in constructing their roads, shall keep the same as near to four degrees grade as the nature of the ground will permit.
Letters patent.	SECTION 5. The governor is hereby authorized to issue letters patent to said company, whenever the commissioners, acting, shall certify that ten per centum, of the capital stock, has been subscribed, and that five dollars per share has been paid in upon the same.
Rate of fare upon the Oakland railway.	SECTION 6. That the board of directors of the Oakland Railway Company shall have power to charge and collect, for the transportation of passengers over said railway, a fare not exceeding ten cents from any point on said railway, between Pittsburg and Charlotte street, in the village of Oakland, and between that street and East Liberty, or Wilksburg, any additional sum not exceeding five cents.
Board of directors.	SECTION 7. The board of directors, of said railway, shall hereafter consist of five persons.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 730.

## A Further Supplement

To an act incorporating the borough of Phoenixville, and its several supplements, passed the sixth day of March, Anno Domini one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough of Phoenixville be and is hereby divided into two wards, and the dividing line between the said wards shall be as follows: Beginning at the western limits of the borough, at the junction of the lands of Lewis Rhoads and Roger Davis Townsend; thence eastwardly, along the north bank of French creek, to the head-gates of the Phoenix Iron Company's dam; thence along the north bank of the said company's race and canal, eastwardly, to the west line of George W. Richards and Son's cotton factory; thence south, along said line to the north bank of French creek; thence eastwardly, along the said bank of said creek to the eastern limits of the borough; and all that portion of said borough, lying north of said line, shall be called North ward; and that portion, which lies south of said line, shall be called South ward.

Divided into two wards.  
Line.  
Names.

SECTION 2. That the voters of each ward elect, annually, one school director, one town constable, one judge of elections, two inspectors, one assessor, and, tri-ennially, two assistant assessors, and, every five years, one justice of the peace: *Provided,* That no election for justice of the peace, in the North ward, shall be held, until the borough election, in one thousand eight hundred and sixty-seven, and in the South ward, until the borough election, in one thousand eight hundred and sixty-nine.

Officers to be elected in each ward.  
Justices of the peace.

SECTION 3. That the voters, in the South ward, shall, annually, choose five persons, and the voters, in the North ward, shall choose four persons, to serve as members of the town council.

Councilmen, election of.

SECTION 4. That elections, in the North ward, shall be held at the Jefferson house, and elections, in the South ward, at the Phoenixville hotel.

Places for holding elections.

SECTION 5. All expenditures, for opening and grading streets and highways, and other local improvements, shall be paid, exclusively, out of taxes levied on property situated within the ward where such streets, or improvements, are located, or made, unless, by the consent of all the members of the town council; and for this purpose, separate accounts shall be kept, of the taxes levied, and separate assessments made, for general expenses of the borough, and for expenses of opening and grading streets, and other local improvements.

Expenditures for opening and grading streets, &c., how to be paid.  
Separate accounts of taxes to be kept.

SECTION 6. That, until the regular annual election of judges and inspectors of elections, as now fixed by law, that John Mullen, senior, shall be judge, Nathan Wagoner and Robert M'Adams, shall be inspectors of elections, in said North ward;

Election officers appointed.

and William W. Waitneight, judge, John G. Moses and Jesse King, inspectors, in the said South ward.

Repeal of certain provision relative to damages, &c.

SECTION 7. That so much of article five, section twenty-seven, of the act regulating boroughs, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, as renders the borough of Phoenixville liable for damages assessed beyond the value of the land in the public streets of said borough, and that so much of any other act, or acts, as conflict with this supplement, be and the same is hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 731.

## A Further Supplement

To an act, entitled "An Act to authorize the erection of a poor house, by the township of Jenkins, borough of Pittston and township of Pittston, in the county of Luzerne," approved May eighth, Anno Domini one thousand eight hundred and fifty seven.

Official term of John Stewart extended.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the term of office of John Stewart, one of the directors of said poor house, which said term will expire on the day for the annual election, for the year eighteen hundred and sixty-five, be and the same is extended for two years.

Court, hereafter, to appoint directors and fill vacancies.

SECTION 2. That from and after the expiration of the present year, the court of common pleas of Luzerne county shall be and hereby is authorized and required, to appoint the directors of said poor house, for the same terms, and in the same order, as they are required to be elected by existing laws; and, also, to fill, by appointment, all vacancies which may occur.

Repeal.

SECTION 3. That all laws, inconsistent herewith, be and the same are hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 732.

*An Act*

To regulate the storage of gunpowder and fixed ammunition, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for all powder, or fixed ammunition, stored in the state powder magazine, in Philadelphia, the owner shall pay, to the superintendent, at the following rates, to wit: for each keg, of twenty-five pounds, or less, the sum of twelve cents, for any time less than one year; for each barrel, not exceeding in weight one hundred pounds, the sum of forty-eight cents, for any time less than one year; and for fixed ammunition, the following rates: for each package, less than fifty pounds in weight, fifteen cents; from fifty to one hundred pounds, twenty cents; from one hundred to two hundred pounds, thirty cents, and for all packages, over two hundred pounds, forty cents, for any time less than one year: *Provided,* That no powder, or fixed ammunition, stored by the state, shall be subject to any charge, for storage, by the said superintendent.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 733.

*An Act*

For the incorporation of the Allegheny Asylum.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president of the board of directors of the Allegheny County Home, the president of the guardians of the poor of Pittsburgh, and the president of the directors of the poor of the city of Allegheny, and their successors in office, are hereby

The presidents of certain boards authorized to purchase lands and provide buildings for a lunatic asylum.

authorized and empowered, for the mutual benefit of the said two cities, and the county of Allegheny, to select and purchase lands, and provide and furnish suitable buildings and improvements thereon, for a lunatic asylum, for said cities and county, for the care, medical treatment and maintenance, of such persons, as shall be a charge on either of the said corporations, or on Allegheny county proper, by reason of the action of the courts of criminal proceedings.

How expense  
thereof to be  
paid.

SECTION 2. That the expense of the purchase of said lands and erection of said buildings, and of the care, medical treatment and maintenance of such insane or idiotic persons, shall be borne by said three corporations, in proportion to the valuation of the property, taxable for county purposes, within the bounds of the respective district of each of said corporations, and paid by each of them out of their respective treasuries.

Incorporation.

Title.

Privileges.

SECTION 3. That the said presidents, and their successors in office, shall be a corporation, by the name, style and title, of the Allegheny Asylum, and by said name, shall have perpetual succession, and may sue and be sued, plead and be impleaded, and receive, take, hold and convey, any lands, tenements, or hereditaments, goods and chattels, whatsoever, by gift, purchase, alienation, or bequest, suitable and proper, for the purposes of said lunatic asylum.

Who may be re-  
ceived therein.

SECTION 4. That in addition to the persons hereinbefore provided for, the said corporation may receive other persons, insane, or idiotic, on such terms, and at such prices, as they may, from time to time, agree upon.

Management.

SECTION 5. The business of the said corporation shall be conducted by the said three presidents, of the said three boards, in such manner as they shall determine, they having the power, from time to time, to elect, annually, such other officers, or persons, under them, including proper medical attendants, as they see fit, and from time to time, fix the salaries of such persons, so elected by them.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 734.

**Supplement**

To an act incorporating the borough of Mechanicsburg, in Cumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough of Mechanicsburg, in the county of Cumberland, be and is hereby enabled, authorized and empowered, to increase the present indebtedness, of the borough, from one dollar on every hundred dollars worth of taxable property, in the borough, as limited by the present charter, to two dollars on every hundred dollars worth of property, taxable for state and county purposes, and for the security and re-payment of the same, to pledge the faith, credit and property, of the said borough; and as evidence of the said indebtedness, the borough shall have power and authority to execute and deliver their bonds, under the seal of the corporation, and signature of the president of the council, in sums not less than one hundred dollars, with interest coupons attached, bearing six per cent. interest, payable semi-annually: *Provided however,* That the said bonds shall be made payable, according to negotiation of the parties, at not more than ten years from their date: *And provided further,* That if the time of payment of said bonds be extended, the interest thereof shall be made payable annually, or semi-annually, as the council shall determine.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 735.

**An Act**

Relative to grading and paving of streets, et cetera, in the borough of Duquesne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Council, upon petition of majority of property holders, may require grading and paving of streets, &c.

That the burgess and town council, of the borough of Duquesne, shall have power, upon the petition of a majority of the property holders, on any street, lane, or alley, to require, by ordinance, the grading, curbing and paving, of said street, lane, alley, or side-walk, or parts of the same, not less than one square, within such reasonable time as the said council shall, by ordinance, direct, and shall have full power to levy and collect the cost and expenses of such grading, curbing and paving, by a *pro rata* assessment, on the feet front of property, abounding and abutting on any street, lane, or alley, so graded, curbed, or paved.

If done by council, cost thereof to be demanded from property owners proportionately.

SECTION 2. That whenever any street, lane, alley, or side-walk, within the limits of said borough, shall have been graded, curbed, or paved, by the council, and the costs and expenses thereof, assessed and apportioned, as aforesaid, it shall be the duty of the council to cause demand to be made by the burgess, from the owner, or owners, of such property, abounding and abutting, as aforesaid, if known to them to be resident within the county of Allegheny, or from his, her, or their, agent, known to them to be resident therein, of the amount of said cost and expenses, to which his, her, or their, property is liable, as aforesaid; and if such owner, or owners, his, her, or their, agent shall neglect, or refuse, for the space of thirty days, after such demand, to pay the same, it shall be lawful for said council to cause, at any time, thereafter, a statement to be made out by the burgess, headed by the name of such street, lane, or alley, and setting forth the name, or names, of the owner, or owners, so delinquent, to the amount of said expenses, for which his, her, or their, property is liable, as aforesaid, and a description of his, her, or their, property, sufficient to identify it, giving the number of feet it abounds, or abuts, on such street, lane, or alley, and the date of the demand, aforesaid, of the truth of all which facts the said burgess shall make affidavit; which statement and affidavit shall be filed in the office of the prothonotary of the court of common pleas, of Allegheny county, and the said prothonotary shall enter the same, of record, in said court, of the term to which it is filed; if the name, or names, of the owner, or owners, of property, which is liable, as aforesaid, is, or are, unknown, or if the owner, or owners, have no known residence in the county, or any known agent therein, such fact, or facts, shall appear on such statement, opposite the description of the property.

In case of neglect, or refusal to pay, burgess to file statement and affidavit in prothonotary's office.

To be entered of record.

Meaning of the word "owner," defined.

SECTION 3. That for the purpose of grading, curbing, or paving, any street, lane, alley, or side-walk, the term, "owner, or owners," used in this act, is hereby declared to mean any person, or persons, who may own, or lease, upon lands, for any term not less than ninety-nine years, renewable forever, or any freehold estate, either for life, or otherwise.

Return of wrong name not to vitiate statement.

SECTION 4. That no return of a wrong name, as names, or owners, or misnomer, in said statement, or misdirection of the property, shall vitiate said statement, but the name, or names, of owner, or owners, and the description of the property, may be altered, or amended, on application to said court for that purpose; and such costs and expenses shall be recoverable by

writs of *scire facias*, in the name of the commonwealth, for the use of the burghess and town council of the borough of Duquesne, in the same manner as debts, secured by mortgage, are recoverable; and such writs of *scire facias* may issue at any time after the filing of such statements.

SECTION 5. That the council shall have power, upon petition, as aforesaid, to require the grading, curbing and paving of twenty feet of the cart-way of Bank lane, in said borough, and collect the cost and expenses of the same, as hereinbefore provided: *Provided*, That the said council shall make, or cause to be made, at the proper cost of said borough, a good and permanent protection of the same, on the south, or river side, of said Bank lane.

SECTION 6. That the owner, or owners, of any corner lot, or lots, shall be charged with the grading and paving done, to the point where the centres of the cross-streets, lanes, or alleys, shall intersect; the cost of which shall be paid, as aforesaid.

SECTION 7. That upon the payment, by the owner, or owners, of any lot, or lots, of the amount of the paving done, within thirty days after the same is completed, he, she, or they, shall be entitled to a credit of five per centum from the amount thereof, or at his, her, or their election, shall pay one-fifth of said amount, at the time of the completion of the work, as aforesaid, and the remainder in four equal annual instalments, from the time the paving is done, as aforesaid, with interest.

SECTION 8. That the burghess of the borough of Duquesne shall have jurisdiction in all criminal cases, the same as the mayor of the city of Allegheny now has.

SECTION 9. That all the rights, powers and privileges, of an act relative to taxes, rates and levies, to the city of Allegheny, approved the twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty, be and the same are hereby granted to the borough of Duquesne.

SECTION 10. That all the rights, powers and privileges, granted to the boroughs of Birmingham, East Birmingham, South Pittsburg and Manchester, under an act relative to licenses on vehicles in the cities of Pittsburg and Allegheny, et cetera, approved the thirtieth day of March, Anno Domini one thousand eight hundred and sixty, be and the same are hereby granted to the borough of Duquesne.

SECTION 11. That so much of any act, or acts, as is inconsistent herewith, is and the same are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

Amendments made be made. Costs, &c., how recoverable.

Grading, curbing, &c., of Bank lane, relative to.

Proviso.

Corner lots.

Payments for work done, relative to.

Jurisdiction of burghess in criminal cases.

Certain provisions relative to taxes extended to.

Powers and privileges relative to licenses on vehicles granted.

Repeal.

No. 736.

## An Act

To legalize the payment of bounties and relief, in the borough of Conshohocken, in the county of Montgomery.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That all bonds, orders, warrants, or certificates of indebtedness, now issued, or hereafter to be issued, by the burgess and town council of the borough of Conshohocken, in the county of Montgomery, for the payment of bounties and relief, to the persons and families of all who volunteered from said borough, to defend the state, during the rebel invasion of one thousand eight hundred and sixty-three, or who may hereafter volunteer for a like occasion, from said borough, where the governor of the state of Pennsylvania, or the President of the United States, may call upon the militia to perform military duty within said state, or within the United States, be and the same are hereby legalized, made valid and binding upon said borough, as if full and legal authority had existed for the issuing and making of the same, when they were issued and made, or may be hereafter issued and made; and in all cases, where any special committee, appointed by the authorities of said borough, shall have subscribed and paid, or become personally liable for the payment of money for the purpose of paying bounties to volunteers, credited to said borough, under the calls of the President of the United States, who have been duly mustered into the United States military service, with the understanding, or agreement, that a law would be enacted, to levy and collect a tax upon said borough, for the payment of such liabilities; all subscriptions, so paid, or money borrowed to pay the same, shall be good and valid against said borough, as if the same had been subscribed, or borrowed, by the corporate authorities of the same, under the provisions of this act; and it shall be the duty of the corporate authorities, of said borough, to proceed to levy and collect a tax upon said borough, sufficient to pay the principal of all such claims, with interest thereon, until the day of payment, together with the cost of collection thereof.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 737.

**An Act**

Relating to the Sheriff's fees, in Westmoreland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That, hereafter, the compensation, to be allowed to the sheriff of the county of Westmoreland, for service of notices upon jurors, for attendance upon the courts of said county, shall be fifty cents each, in lieu of that now allowed by law.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 738.

**An Act**

To legalize the acts of the Supervisors of Berlin township, in the county of Wayne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the acts of Lucius Keyes, William M'Cartey and Peter Smith, as supervisors of the township of Berlin, in the county of Wayne, are hereby made good and valid, in law, as if the said supervisors had given the security required by the provisions of the act of assembly, approved the sixteenth day of March, Anno Domini one thousand eight hundred and sixty: *Provided,* The said Lucius Keyes and William M'Cartey shall give the requisite security, within thirty days after the passage of this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 739.

**An Act**

To change the venue of a certain suit, from Northumberland county to Union county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a certain action for libel, now pending in the court of common pleas of Northumberland county, between George C. Welker, plaintiff, and Henry B. Masser, defendant, number ninety-seven, August term, one thousand eight hundred and sixty-three, be and the same is hereby removed and transferred to the court of common pleas of Union county, to be there tried in the same manner as if said action had been originally instituted in the last named court; and the record of said action shall be certified by the said court of common pleas of Northumberland county, to the said court of common pleas of Union county, for trial as aforesaid; and on final judgment, such writs of execution shall be issued, as may be necessary to carry the same into full effect: *Provided,* That said final judgment shall be subject to writ of error to the supreme court, as in other cases.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 740.

**A Supplement**

To an act relative to licenses in the the cities of Pittsburg and Allegheny, and the boroughs thereto adjoining, approved April twenty-first, one thousand eight hundred and fifty-eight.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*



That the borough of Monongahela, West Pittsburg and Temperanceville, in Allegheny county, are hereby authorized to impose a borough tax, for the repairs and improvement of streets, of said boroughs, and grant a license to the owner of any such vehicles, in the manner pointed out by the act of April twenty-first, one thousand eight hundred and fifty-eight, and that such license shall exempt the owners, of such vehicles, from liability to take out any further license, in any of the cities, or boroughs, of said county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 741.

## An Act

Relative to taxing dogs, in certain townships, in the county of Bucks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first, second, third, fourth and fifth sections of an act levying a tax on dogs, in certain townships, in the county of Chester, and for other purposes, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty, be and the same are hereby extended, in all their provisions, to the townships of Falls, Bristol and Lower Makefield, in the county of Bucks, except that the said tax shall be collected by the collector of township rates and levies, in said townships.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 742.

**An Act**

Relating to the clerks of the several courts of Lehigh county.

WHEREAS, An act was passed, on the fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three, providing for the election of one person, to fill the office of clerk of the court of quarter sessions, and one person to fill the office of clerk of the orphans' court, for the county of Lehigh, but making no provision for the election of any one to fill the office of clerk of the court of oyer and terminer, in said county:

*And whereas*, The citizens of said county, believing that the omission, to provide for the election of a clerk of the court of oyer and terminer, as aforesaid, was from mistake and inadvertence, voted at the last general election, for one person to fill the office of clerk of the said court of oyer and terminer, and clerk of the court of quarter sessions of said county, and Jacob E. Zimmerman was returned, as duly elected, and commissioned, to fill both said offices; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Jacob E. Zimmerman, now elected clerk of the court of quarter sessions, of said county, shall also fill the office of clerk of the court of oyer and terminer, for the said county of Lehigh, for the term for which he is elected.

SECTION 2. That at the elections, hereafter to be held, in the said county of Lehigh, one person shall be elected, as clerk of the court of quarter sessions, and clerk of the court of oyer and terminer, of said county of Lehigh.

**HENRY C. JOHNSON,**

Speaker of the House of Representatives.

**JOHN P. PENNEY,**

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

**A. G. CURTIN.**

No. 743.

**An Act**

To extend the provisions of an act, approved the twelfth day of February, one thousand eight hundred and sixty-two, providing for the election of councilmen, and collection of taxes, in Millville borough, Cambria county, to the borough of Knoxville, in the county of Tioga.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the provisions of the first, second, third, fourth and fifth sections of the act, approved the twelfth day of February, one thousand eight hundred and sixty-two, relative to the election of councilmen, and collection of taxes, in Millville borough, Cambria county, be and they are hereby extended to the borough of Knoxville, in the county of Tioga, except the election of borough officers, in the borough of Knoxville, shall be held on Friday preceding the last Monday of January in each year.

Certain provisions extended to the borough of Knoxville.

Time of holding borough elections.

SECTION 2. That all acts and parts of acts, inconsistent with the provisions of this act, so far as the same relate to the borough of Knoxville, in the county of Tioga, be and the same are hereby repealed.

Repeal.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 744.

**An Act**

Relating to the fees of constables, in the county of Cumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the provisions of an act, entitled "An Act relating to the fees of constables, in the county of Berks, and state of Penn-

sylvania," approved sixth of April, Anno Domini one thousand eight hundred and sixty-four, be and the same are hereby extended to the county of Cumberland.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 745.

## An Act

Relative to the accounts of George Edkin, late treasurer of Sullivan county.

WHEREAS, By an act of assembly, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, the auditor general and state treasurer were authorized to open the settlement of the accounts of George Edkin, late treasurer of the county of Sullivan, so far as to credit him with five hundred dollars, and to charge the same against the said county, being for money alleged to be due, and uncollected, by said George Edkin, late treasurer :

*And whereas,* It is believed that the money uncollected, at the time of the settlements of the accounts of said George Edkin, was, subsequently, collected and paid to the state, by succeeding treasurer, or treasurers; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That honorable William Elwell, president judge of the twenty-sixth judicial district, be and is hereby appointed an auditor, to examine into the accounts of George Edkin, late treasurer of the county of Sullivan, and report the facts, in relation to the same, to the auditor general; and if it shall appear to the auditor general, from the facts reported, that the amount of taxes, assessed for state purposes, during the term of office of the said George Edkin, was collected and paid to the state treasurer, by the said Edkin, or subsequent treasurers of said county of Sullivan, he is hereby directed to cancel the charge of five hundred dollars, and accrued interest, made against the county of Sullivan, in pursuance of an act of assembly, entitled "An Act for the relief of George Edkin, late treasurer

of the county of Sullivan," approved May first, Anno Domini one thousand eight hundred and sixty-one.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 746.

## An Act

To attach the farm of Eli Bloom, in Pike district, Clearfield county, to Lawrence district, in said county, for school purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the farm of Eli Bloom, in Pike township, Clearfield county, on which he now resides, be and the same is hereby annexed to Lawrence school district, for school purposes, to take effect at the end of the present school year.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 747.

*A Supplement*

To the act incorporating the Freeport and Shenango Valley Railroad Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Freeport and Shenango Valley Railroad Company be and they are hereby required to pay into the state treasury, for the use of the commonwealth, a tax of one-half per centum upon its capital stock, in four equal, annual, instalments; and, also, be subject to all other taxes, now imposed, by law, upon like corporations: *Provided,* That the state treasurer is hereby required to refund the amount of the bonus paid by said company, and that said company shall pay the whole amount of the bonus, upon their capital stock, unto the state treasurer, according to the provisions of this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 748.

*An Act*

To empower the trustees of the First Presbyterian Church of Downingtown, Chester county, to sell certain real estate.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the First Presbyterian church, of the borough of Downingtown, Chester county, are hereby authorized and empowered to sell, either at public, or private, sale, all that certain piece, or parcel, of land, whereon is erected the said First Presbyterian church: beginning on the south side of the Philadelphia and Lancaster turnpike road; thence, by

lands of Esther Evans, south thirty-five and one-fourth degrees, east two hundred and twenty feet; thence, by lands of Thomas S. Ingram, south fifty-four and a-half degrees, west sixty feet, and north thirty-five and one-fourth degrees, west two hundred and twenty feet, to the south line of the turnpike aforesaid; thence, along said line, north fifty-four and a-fourth degrees east to the place of beginning, containing thirteen thousand two hundred square feet, more or less, with the appurtenances; and, also, to make deed, or deeds, to the purchaser, or purchasers, thereof, in fee simple, and to appropriate the proceeds, arising from the sale thereof, first to the payment of the debts of said corporation, and the balance, to such purpose as the corporators, or a majority of them, may direct; and that the said corporation is hereby dissolved: *Provided however*, That the trustees shall first give three weeks' public notice, and offer said property at public sale; and if not sold at public sale, then they shall have power to sell at private sale.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 749.

## An Act

To annul the marriage contract between Josiah Kern and Mary Kern.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the marriage contract, entered into between Josiah Kern and Mary A., his wife, of the county of Lehigh, be and the same is hereby annulled and made void, and the said parties released, set free and discharged, from said contract, and the duties and obligations, thereunder, as fully, effectually and absolutely, as if said contract had never been made.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, entitled "An Act to annul the marriage contract between Josiah Kern and Mary Kern," was presented to the governor, April the nineteenth, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, May 5, 1864.

No. 750.

## An Act

Relative to the compensation of certain officers, and to increase the pay of jurors, in Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Compensation  
of commission-  
ers and auditors  
fixed.

Mileage.

Jurors.

Pay of sheriff  
for boarding  
and lodging  
prisoners.

That hereafter, and including the current year, the county commissioners and county auditors of Venango county shall each receive, out of the treasury of said county, a compensation of two dollars, for each day necessarily employed by them in the discharge of their duties, with the mileage now fixed by law; and that, hereafter, each juror, properly summoned, who attends court, shall receive one dollar and fifty cents per day, with the mileage now allowed by law.

SECTION 2. That hereafter, and including the present year, the sheriff of said county shall receive, as compensation, for boarding and lodging all prisoners, which, by law, the county is now required to pay, at the rate of two dollars per week.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, entitled "An Act relative to the compensation of certain officers, and to increase the pay of jurors, in Venango county," was presented to the governor, on the twenty-second day of April, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore,



it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, May 5, 1864.

No. 751.

## A Supplement

To an act relating to restaurants and beer houses, in the county of Cumberland.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the time, limited by the second section of the act, entitled "An Act relating to restaurants and beer houses, in the county of Cumberland," approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-four, in which application must be made for license, to keep restaurants and beer houses, at the first, or second, term in each year, of the court of quarter sessions of said county, be and the same is hereby extended for the present year, to and during the third term of the said court of quarter sessions of the said county.

Applications for license may be made, the present year, during the third term of court.

**SECTION 2.** That any person, whose license shall have expired after the eighth day of April, and previous to the third term, in the present year, of the said court of quarter sessions of the said county, shall, on application to the treasurer of said county, and the payment of three dollars, receive from the treasurer a renewal of said license, which shall expire on the first day of the said third term of the said court of quarter sessions of said county: *Provided*, That the person, so applying for license, shall give a bond, as required by the act to regulate the sale of intoxicating liquors, approved March thirty-first, Anno Domini one thousand eight hundred and fifty-six.

County treasurer may renew certain licenses.

Proviso.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 752.

*A Supplement*

To an act to incorporate the Philadelphia Musical, Saving and Loan Association, approved the third day of April, Anno Domini one thousand eight hundred and fifty-six.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Authorized to  
manufacture  
and sell pianos,  
&c.

That nothing, in the act, to which this is a supplement, shall be so construed as to prohibit the Philadelphia Musical, Saving and Loan Association from engaging in the manufacture and sale of pianos, and other musical instruments.

Capital stock.

*SECTION 2.* That the capital stock of said company shall consist of twenty thousand shares, of ten dollars each, with privilege to increase the same to fifty thousand shares; and said company shall pay, into the state treasury, a bonus of one-half of one per cent. upon said capital stock, and such increase, in four equal annual payments, the first payment to be made, in one year after the passage of this act.

Bonus.

Individual liability.

*SECTION 3.* The stockholders of said company shall be jointly and severally liable, in their individual capacities and estates to the amount remaining unpaid, on each share of stock, held by them, respectively, for all debts contracted for work and labor done, and materials furnished, for said company, to be sued for and collected, in the manner provided by the eleventh, twelfth, thirteenth and fourteenth sections of the act of assembly, incorporating the Lackawanna Iron and Coal Company, passed the fifth day of April, one thousand eight hundred and fifty-three.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 753.

*An Act*

To incorporate the Philadelphia Chemical College.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Emerson Bennett, W. L. Gilroy, John Edwin Potter, William Steffee, Gustavus C. Reichhelm, A. Winch, William A. Manderson, R. Berkely Fitts, C. M. Jones, T. J. Woodward, George Percival Fitts, William L. Manderson, H. B. Leach, Daniel Weston, Jacob S. Beam and A. H. Yarnall, citizens of this commonwealth, and their successors, and all persons who are or may be, associated with them, be and they are hereby created and erected into a body politic and corporate, in deed and in law, by the name, style and title of the Philadelphia Chemical College, and by that name, shall be able to sue and be sued, plead and be impleaded, in all the courts of record and elsewhere; and shall be capable, in law and in equity, to receive, take and hold, by purchase, gift, demise, or bequest, for the use of the said institution, lands, tenements, hereditaments and estates, both real and personal, wherever situated: *Provided*, The said institution shall not hold, by purchase, real estate of an annual value exceeding six thousand dollars, and the same to grant, bargain, sell and assign, in fee simple, or for any less estate, as the said body corporate may deem proper; and to make and have a common seal, and the same to break, alter and renew, at pleasure; and, also, to ordain and establish, and put into execution, such by-laws and regulations, as shall appear necessary and convenient, for the government of the said body corporate, not being contrary to the constitution and laws of the United States and of the commonwealth of Pennsylvania, and generally to do all and singular, the matters and things lawfully appertaining to the well being of the said body corporate, and the due management of the affairs thereof; the object of this institution is for the purpose of benefiting the great industrial and commercial interests of this country, by promoting a more general knowledge of the science of chemistry, in its practical application to agriculture, the arts, sciences, manufactures and commerce, and experimenting and developing discoveries in practical chemistry, in such manner as may seem, to the said body corporate, productive of the greatest public benefit.

Corporators.

Title.

Privileges.

Real estate.

Seal.

By-laws.

Objects.

Capital stock.

SECTION 2. The capital stock of the said corporation shall consist of four thousand shares, of twenty-five dollars each, to be called in, as the necessities of the said institution may require, for the purpose of carrying on the general operations of the same, but the capital stock may be increased to ten thousand shares: *Provided*, Two-thirds of the stockholders shall,

Tax to state.	at any time, deem it advisable and necessary; and that the said company pay into the state treasury a tax of one-half of one per cent., in four quarterly payments, upon the capital stock; the government of the said body corporate, and the manage-
Management.	ment and disposition of its affairs and property, shall be vested in a board of seven directors, who shall be elected annually, at such time, and in such manner, as the by-laws shall
Professorships.	direct; and they may establish such professorships, as may seem to them requisite to carry out the purposes of this corporation: <i>Provided</i> , The said body corporate shall not purchase, or hold, any real estate, except such as may be requisite
Prohibition.	and necessary to carry out the true intent and purposes of this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 754.

## An Act

To incorporate the Susquehanna Gold Mining Company.

Corporators.	<b>SECTION 1.</b> <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Samuel Broadbent, Amos B. Keith, Thomas C. Garrett, and their associates, be and they are hereby created a body politic, by the name and title, of the Susquehanna Gold Mining Company, and, by such name and title, shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded, and of granting and of receiving, in its corporate name, property, real, personal and mixed, and of holding and improving lands in Colorado territory, and to obtain therefrom any and all minerals, and other valuable substances, whether by working, or mining, or leasing, or disposing of privileges to work, or mine, such lands, or any part thereof, and to erect houses, and such other buildings and works as may, in the opinion of the managers of the corporation, appertain to said business; and to use, let, lease, or work, the same, and to dispose of the products of all such lands, mines and works, as they may deem proper.
Title.	
Privileges.	

SECTION 2. That the said company shall have power to make such by-laws as they may deem proper, to enable them to carry out the objects of the corporation, and the same to alter, amend, add, or repeal, at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of this commonwealth, or the provisions of this act; and to adopt a common seal, and the same to alter at pleasure; and to issue certificates of stock, representing the value of their property, in such form, and subject to such regulations, as they may, from time to time, by their by-laws, prescribe, and to regulate and prescribe, in what manner and form their contracts and obligations shall be executed.

By-laws.

Proviso.

Seal.

May issue certificates of stock, &amp;c.

SECTION 3. That the corporators, named in this act, shall elect persons to serve as directors of the company, a majority of whom shall constitute a quorum for the transaction of business, and shall hold their offices until their successors shall have been elected, in accordance with the by-laws.

Election of directors.

Quorum.

SECTION 4. That it shall be lawful for said company to establish the necessary offices, for the business of the company, wherever their business is located, and to have their principal, in the United States, in such place as they may deem expedient; at which place, it shall be lawful to hold all meetings, for the transaction of the business of the company.

Offices.

Meetings.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 755.

An Act

To vacate Hamilton, late Pleasant street, between Ninth and Canton, late Charles street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That so much of Hamilton street, lately called Pleasant street, as is laid out on the plan of streets in the Thirteenth ward of the city of Philadelphia, late the district of Spring Garden,

and extending from Ninth to Canton, late Charles street, be and the same is hereby vacated.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 756.

## An Act

To increase the fees of jurors and witnesses, in the counties of Washington and Greene.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the fees for jurors and witnesses, in said counties of Washington and Greene, shall be, for each juror one dollar and fifty cents per day, and for each witness one dollar per day, and mileage, as now allowed by law.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, No. 311, entitled "An Act to increase the fees of jurors and witnesses, in the counties of Washington and Greene," was presented to the governor, on the nineteenth day of April, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, May 5, 1864.

No. 757.

*An Act*

Increasing the compensation of certain officers, in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the compensation of the commissioners of Allegheny county be and the same is hereby advanced and increased, from the sum of two dollars per diem, as now fixed by law, to the sum of three dollars per diem, to take effect from and after the first day of November, one thousand eight hundred and sixty-three.

Compensation  
of commission-  
ers increased.

SECTION 2. That the assessors and collectors of the several wards, boroughs and townships, and the supervisors of roads, in Allegheny county, be and the same are hereby allowed one dollar and fifty cents, for each day by them necessarily employed in the discharge of their duties.

Pay of assess-  
sors, collectors  
and supervi-  
sors, fixed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do hereby certify, that the bill, No. 21, entitled "An Act increasing the compensation of certain officers, in Allegheny county," was presented to the governor, on the twentieth day of April, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, May 5, 1864.

No. 758.

### **I Supplement**

To an act to incorporate the Anderson Creek Public Road and Navigation Company, approved March twenty-eight, Anno Domini one thousand eight hundred and fifty-nine.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Authorized to clear out and use Anderson's creek and its branches, to certain points.

That the Anderson Creek Public Road and Navigation Company, incorporated under the provisions of an act of assembly, approved March twenty-eighth, one thousand eight hundred and fifty-nine, their successors, lessees, grantees, vendees, or assigns, be and they are hereby authorized to clear out, improve and use, all and every part of Anderson's creek, in the county of Clearfield, and each of its branches, from Moore's mill, on said creek, to the northern line of a tract of land, surveyed on warrant, numbered three thousand five hundred and eighty-three, and to the eastern line of four several tracts of land, surveyed on warrants, numbered, respectively, three thousand five hundred and eighty-three, three thousand five hundred and eighty-six, three thousand five hundred and eighty-seven, and three thousand five hundred and eighty-eight, to use the dams erected by them thereon, and to erect new dams, in such manner and at such points, as they may deem proper, and use of all the said improvements, and the water of said streams, in floating logs down the same, subject to all the restrictions, imposed by the act of assembly, to which this is a supplement, except that they shall not be required to construct a road above said Moore's mill.

May erect new dams, &c.

Subject to.

Penalty for obstructing road, or stream.

*SECTION 2.* That the provisions of the twelfth section of the act, to which this is a supplement, be and the same are hereby made applicable to so much of said Anderson's creek and its branches, as is described and designated in the first section of this act.

Improvements made, or dams erected, by owners of land, to be paid for by company.

*SECTION 3.* That where the owner, or owners, of any tracts of land, through which the said Anderson's creek, or any of its branches, between said Moore's mill and the northern and eastern lines of the tracts of lands, hereinbefore described in the first section of this act, passes, shall have made improvements, by clearing out said creek, or any of its branches, or erecting a dam, or dams, thereon, between the points above designated, the said Anderson's Creek Public Road and Navigation Company, their successors, lessees, grantees, vendees, or assigns, shall, before using said improvements, or any of said dam, or dams, so made and erected, by said owners of lands, pay to the said owners the full value of said improvements, and the costs and expenses incurred in the erection and construction of said dam or dams.



SECTION 4. When the said company, their successors, lessees, grantees, vendees, or assigns, cannot agree with the owner or owners of said lands, for the compensation, proper for the value of said improvements, and the cost and expenses of erecting said dam, or dams, the court of common pleas of Clearfield county, on application thereto, by petition, either by said company, their successors, lessees, grantees, vendees, or assigns, or the owner, or owners, or any one in behalf of either, shall appoint three disinterested freeholders of said county, who shall meet upon the premises after ten days' notice, by the petitioner, to the said viewers and the other party; and the said viewers, having first been duly sworn or affirmed, shall estimate and determine the value of said improvements, and the cost and expenses of erecting said dam, or dams, and make report thereof to the said court; and on the same being confirmed by the said court, judgment shall be entered thereon; and if the amount thereof be not paid within thirty days after the entry of such judgment, execution may issue thereon, as in other cases of debt, for the sum so awarded; and the costs and expenses incurred shall be defrayed by the said company, their successors, lessees, grantees, vendees, or assigns; and each of said viewers shall be entitled to two dollars per day, for every day necessarily employed in the performance of the duties herein prescribed, to be paid by such company, their successors, lessees, grantees, vendees, or assigns: *Provided*, That neither said company, nor any of their lessees, nor any other person, or persons, shall have the right, or privilege, of using said improvements, or any dam, or dams, erected by the owners of lands, on said creek, between the points designated in the first section of this act, until the said owners shall first be paid the value of said improvements, and the cost and expenses of erecting said dam, or dams, in accordance with the provisions of the third and fourth sections of this act: *And provided further*, That no improvements shall hereafter be made on said creek, between the points designated in the first section of this act, without the consent and concurrence of a majority of the lessees, grantees and vendees, or assigns, of the said Anderson's Creek Public Road and Navigation Company.

In case of disagreement as to value thereof, court to appoint viewers.

Upon confirmation of their report by court, judgment to be entered, &c.

Costs to be paid by company.

Improvements and dams not to be used, until owners have been paid.

Consent of majority of lessees, &c., necessary, hereafter, for improvements.

SECTION 5. That the successors, lessees, grantees, vendees, or assigns, of the said Anderson Creek Public Road and Navigation Company, shall have and enjoy all the rights and privileges, conferred by this act, as fully and to the same extent as the said Anderson Creek Public Road and Navigation Company could have and enjoy the same.

Rights and privileges of company conferred upon successors, lessees, &c.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify that the bill, No. 706, entitled "A supplement to an act to incorporate the Anderson Creek Public Road and Navigation Company, approved March 28, A. D. 1859," was presented to the governor, April twenty-second, Anno

Domini one thousand eight hundred and sixty-four, and was not returned within ten days (Sundays excepted) after it had been presented to him ; wherefore, it has become a law, agreeably to the constitution of this commonwealth, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, May 5, 1864.

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No. 759.

## An Act

Relative to the increase of the compensation of the county commissioners of Blair county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the county commissioners, of Blair county, shall each receive, out of the treasury of said county, the sum of three dollars, for each day they shall, each, actually and necessarily, attend to the duties of their office ; and all laws, inconsistent with this act, be and the same are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify that the bill, No. 892, entitled "An Act relative to the increase of the compensation of the county commissioners of Blair county," was presented to the governor, April twenty-first, one thousand eight hundred and sixty-four, and was not returned, within ten days (Sundays excepted) after it had been presented to him ; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate

HARRISBURG, May 5, 1864.

No. 760.

**A Supplement**

To an act to incorporate the village of Dunmore, in the county of Luzerne, into a borough, approved the tenth day of April, Anno Domini one thousand eight hundred and sixty-two.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That in addition to the powers vested in the commissioners, appointed by the court of common pleas, of Luzerne county, by the provisions of the ninth section of the act, to which this is a supplement, the said commissioners shall have authority, and they are hereby directed, to ascertain the indebtedness due to the township of Providence, from any and all persons, and sources, whatsoever, and to embody the same in a general report of their proceedings, to be made out and filed in the court of common pleas, of the county of Luzerne, aforesaid; which report shall be final and conclusive, as to the amount of indebtedness, aforesaid, in each and every case where an appeal shall not be taken in the manner, as provided in the ninth section of the act, to which this is a supplement; and an action of debt may, thereupon, be maintained, by the township of Providence, for the recovery of the amounts respectively embraced in the said report, with interest, or which may be found due to the said township, after adjudication, on appeal: *Provided*, That no person, or persons, shall be concluded by said report of said commissioners, until they shall have severally and respectively had at least twenty days' personal notice, of the filing thereof, and of the amount of their several and respective indebtedness, as ascertained by said commissioners; and said person, or persons, shall have twenty days after such service, within which to appeal as aforesaid.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 761.

*An Act*

To exempt the Northern and Southern Dispensaries, of the city of Philadelphia, from certain taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the dispensary buildings and lots of ground, of the Northern and Southern Dispensaries, of the city of Philadelphia, in Shippen street, above Third street, and in Spring Garden street, in the said city, be and the same are hereby exempted from all taxation, except state taxes; and all such taxes, assessed thereon for the present year, are hereby remitted.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 762.

*A Supplement*

To the act for the payment of troops of the Reserve Brigade, first division, Pennsylvania militia, in service during the riots in the county of Schuylkill, in the Month of May, one thousand eight hundred and sixty-two, approved the fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the governor of this commonwealth is hereby authorized to appoint one person, to make out, under oath, or affirmation, and forward to the auditor general of this commonwealth, the detailed statement, provided for in the act to which this a supplement; and that the person, so deputed, shall be entitled to receive the pay of a paymaster, from the treasury of this commonwealth, during the time he may be engaged in such duty,

not exceeding two months, subject to the review and approval of his account therefor, by the auditor general of this commonwealth: *Provided*, That said moneys shall not be paid, until said officers and soldiers shall pay all bills, contracted with landlords and others, in Schuylkill county, for, or on account of, said alleged riots: *And provided further*, That those having claims shall present said bills to the city treasurer, within sixty days from the passage of this act, duly certified to, before an alderman or justice of the peace.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 763.

*An Act*

Authorizing the Governor to accept the donation of the Pennsylvania Railroad Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor of the commonwealth of Pennsylvania be and he is hereby authorized, to accept the sum of fifty thousand dollars, donated by the Pennsylvania Railroad Company, for the education and maintenance of destitute orphan children of deceased soldiers and sailors, and appropriate the same, in such manner as he may deem best calculated to accomplish the object designed by said donation; the accounts of said disbursements to be settled, in the usual manner, by the auditor general and the governor, and make report of the same to the next legislature.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 764.

**An Act**

Relating to the fees of Constables, in the counties of Fayette and Northampton.

Fees of constables regulated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the fees, to be received by the constables, in the counties of Fayette and Northampton, shall be as follows, viz :

Executing warrant, on behalf of the commonwealth, seventy-five cents.

Conveying to jail, on *mittimus*, or warrant, seventy-five cents

Arresting a vagrant, disorderly person, or other offender against the laws, (without process,) and bringing him before a justice, fifty cents.

Levying fine, or forfeiture, on a warrant, fifty cents.

Taking the body into custody, on *mittimus*, when bail is afterwards entered, before the prisoner is delivered to the jailor, fifty cents.

Serving *subpoena*, fifteen cents.

Serving summons, notice on referee, suitor, master, mistress, or apprentice, personally, each fifteen cents.

Serving by leaving a copy, fifteen cents.

Executing attachment, fifty cents.

Arresting on *capias*, forty cents.

Taking bail bond on *capias*, or for delivery of goods, fifteen cents.

Notifying plaintiff, when defendant has been arrested on *capias*, to be paid by plaintiff, fifteen cents.

Executing landlord's warrant, or serving execution, fifty cents.

Taking inventory of goods, each item, two cents.

Levying, or distraining, the goods, and selling the same, for each dollar, not exceeding thirty dollars, ten cents.

For each dollar, above thirty dollars, six cents.

And a half of the said commission shall be allowed, where the money is paid, after levy, without sale; but no commission shall, in any case, be taken on more than the real debt.

Advertising the same, seventy-five cents.

Copy of vendue papers, when demanded, each item, two cents.

Putting up notice of distress, at mansion house, or other public place, on the premises, twenty-five cents.

Serving *scire facias* personally, fifteen cents.

Serving by leaving a copy, fifteen cents.

Executing bail piece, fifty cents.

Traveling expense, on an execution returned *nulla bona* and *non est inventus*, where the constable has been at the place of defendant's last residence, each mile circular, five cents.

Executing order for the removal of a pauper, one dollar.

Traveling expenses, in said removal, each mile circular, ten cents.

Traveling expenses, in all other cases, each mile circular, five cents.

For serving precept and returning the same, in landlord and tenant proceedings, fifty cents.

For executing the writ of possession and returning the same, one dollar.

SECTION 2. All laws, or parts of laws, inconsistent with this act, are hereby repealed, so far as they relate to the counties of Fayette and Northampton. Repeal.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 765.

## An Act

To repeal the eleventh section of an act, approved the eighth day of April, Anno Domini, one thousand eight hundred and fifty one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the eleventh section of an act, entitled "An Act to open and extend an alley, in the city of Allegheny, et cetera," approved the eighth day of April, Anno Domini one thousand eight hundred and fifty-one, is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 766.

## An Act

For the sale of certain real estate of the German Reformed congregation,  
Philadelphia.

WHEREAS, By reason of the growth of the city, the location of their church edifice has become unsuitable for a place of worship, and inconvenient to the members; and the congregation are, therefore, desirous of disposing of the same, and applying the proceeds thereof, and of other real estate, held by them, to the erection of one, or more, churches, more conveniently and suitably situated; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That "the minister, trustees, elders and deacons, of the German Reformed congregation, in the city of Philadelphia, in the province of Pennsylvania," are hereby authorized and empowered, at any time hereafter, to grant and convey, in fee simple, or on ground rent, and, if on ground rent, the same rents to grant, bargain and sell, or extinguish, their real estate and church edifice, situated in Philadelphia, in the square bounded by Fourth, Race and Cherry streets, and Sterling alley, now Hillsdale street; also, the remaining part of their lot of ground, situate in the square, between Seventeenth and Eighteenth, and Cherry and Arch streets, upon such terms as they shall see proper, and to assure the premises and hereditaments, thus sold, to the several purchasers, in fee simple, and without liability on the part of the purchaser, or purchasers, to see to the application of the purchase money; and such conveyances shall vest a perfect and indefeasible title to the premises, so conveyed, in the purchaser, or purchasers, thereof, respectively.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 767.

**An Act**

Relating to the pay of the commissioners, county auditors, and jurors and witnesses, in the counties of Lycoming and Clinton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That from and after the passage of this act, the county commissioners, of Clinton and Lycoming counties, shall be entitled to receive two dollars per day, for every day actually employed in the business of the county. Compensation of commissioners.

SECTION 2. That the per diem allowance of persons, attending the several courts of the counties of Lycoming and Clinton, shall, from and after the passage of this act, be for the jurors, one dollar and fifty cents per day, with usual mileage, and for witnesses, who reside more than one mile from the seat of justice, one dollar per day, with usual mileage; payment to be made as directed by existing laws, relating thereto: *Provided*, That this section shall continue in force for only two years from its passage. Jurors and witnesses. Limitation.

SECTION 3. That hereafter the per diem allowance of the county auditors, of the counties of Lycoming and Clinton, shall be two dollars each, for every day actually employed in the business of the county. Auditors.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 768.

**An Act**

In relation to vacant offices of justices of the peace, in the county of Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That upon the application of at least fifteen electors, of any township, or borough, setting forth that the office of justice of the peace, for said township, or borough, has been vacant for three months, by the absence of the person elected to that office, then, the courts of quarter sessions, of the county of Washington, shall have power to declare said office vacant, and to order a new election to fill said vacancy, or vacancies.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 769.

## A Supplement

To an act in relation to the township of Greene, in the county of Indiana, approved May first, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the second section of an act, entitled "An Act in relation to the township of Greene, in the county of Indiana," approved May first, one thousand eight hundred and sixty-one, as extends the provisions of an act, entitled "An Act for the election of township treasurer, and other purposes, in the township of Cherry Hill, in the county of Indiana," approved April seventeenth, one thousand eight hundred and fifty-six, to the township of Greene, be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 770.

**An Act**

To validate the judgment docket entries, made by the prothonotaries of certain counties in this commonwealth.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all judgments heretofore entered, by any prothonotary in this commonwealth, in an *ad sectum* index docket, are hereby declared to be as good and valid, in law, as though entered in a judgment docket, with two indexes; and all judgment dockets hereafter kept in the form of an *ad sectum* index docket, shall be deemed a compliance with the requirement of the fifth section of the act of twenty-ninth March, one thousand eight hundred and twenty-seven, relating to the keeping of judgment-docket indexes: *Provided*, That this act shall apply only to the counties of Tioga, Potter, M'Kean, Warren and Erie.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 771.

**An Act**

To repeal the thirty-fourth section of an act, relating to county rates and levies, and township rates and levies, approved the fifteenth of April, Anno Domini eighteen hundred and thirty-four, so far as the same relates to Collins township, Allegheny county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the thirty-fourth section of an act, entitled "An Act relating to county rates and levies, and township rates and levies," approved the fifteenth day of April, Anno Domini

## LAWS OF PENNSYLVANIA,

eighteen hundred and thirty-four, be and the same is hereby repealed, in so far as the same relates to the township of Collins, in the county of Allegheny.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 772.

## An Act

Relating to the real estate of Martha S. Irvin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That all that part, or portion, of the real estate of Martha S. Irvin, now assessed in Shaler township, Allegheny county, be and the same is hereby annexed to the township of Ross, in said county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 773

## An Act

To pay pensions and gratuities to William Collum, Benjamin Fleming and Daniel Matzanbaugher, old soldiers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the state treasurer be and is hereby authorized and required to pay to William Collum and Benjamin Fleming, of Erie county, old soldiers, of the war of one thousand eight hundred and twelve and fourteen, an annuity of forty dollars during life, commencing the seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

Annuity to  
William Col-  
lum and Benj.  
Fleming.

SECTION 2. That the state treasurer is hereby authorized to pay Daniel Matzanbauger a gratuity of forty dollars.

Gratuity to  
Daniel Matzan-  
bauger.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 774.

## A Supplement

To an act, passed March twenty-ninth, Anno Domini one thousand eight hundred and three, to establish a board of wardens for the port of Philadelphia, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That so much of the act, passed February ninth, one thousand eight hundred and thirty-seven, as provides, that when any vessel is towed, by a steamboat, from the city of Philadelphia to the buoy of the brown, or the break-water, or from the buoy of the brown, or the break-water, to the city of Philadelphia, the rates of pilotage shall continue to be as established by the act to which this is a supplement; and so much of the act, passed March twenty-fourth, one thousand eight hundred and fifty-one, as provides, that when vessels, taking steam down as far as Reedy island, between the twentieth day of November and the tenth day of March, inclusive, in any year, there shall be a deduction of five dollars, or to the buoy of the brown, there shall be a deduction of the whole charge of winter pilotage, be and the same is hereby repealed.

Repeal of cer-  
tain provisions  
relative to the  
rates of pilot-  
age.

SECTION 2. That from and after the passage of this act, in lieu of the compensation now allowed to pilots, for conducting ships, or vessels, from the city of Philadelphia to the capes of the Delaware, or from the capes of the Delaware to the city of Philadelphia, the rates of pilotage shall be, for every half foot of water, which any inward bound vessel shall draw, un-

Rates fixed.

der and up to twelve feet, the sum of one dollar and eighty-seven cents; and for every inward bound vessel, drawing over twelve feet, the sum of two dollars and eight cents for every half foot of water; and for every half foot which any outward bound vessel shall draw, under and up to twelve feet, the sum of one dollar and fifteen cents; and for any outward bound vessel, drawing over twelve feet, the sum of one dollar and fifty cents for every half foot of water; and shall also receive, over and above the said sums, for conducting ships, or vessels, to or from the city of Philadelphia, forever, between the first day of November and the first day of April, inclusive, in any year, the additional sum of ten dollars: *Provided*, They are not towed by a steamboat, to and from the buoy of the brown; and shall, also, receive three dollars per day, whenever detained by any master, owner, or consignee, or by the ice: *Provided always*, That whenever it shall appear to the wardens that, in case of an inward bound vessel, should a pilot not offer before such vessel reached a line, drawn from Fenwick's island to the light boat, or five-fathom bank, the rates of inward pilotage shall continue to be established by the act of ninth February, one thousand eight hundred and thirty-seven.

Proviso.

Proviso.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 775.

## An Act

Relating to certain public improvements, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be the duty of the commissioners of highways, of the city of Philadelphia, forthwith to cause Broad street to be graded, for public use, from the Germantown road, northward, to Fisher's lane, and the culverts to be enlarged under the Philadelphia and Reading railroad, near Thompson street, and under Thompson street, near Thirty-first street, in con-

nection with said railroad company; all said work to be approved by the chief engineer of the said city.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 776.

## An Act

Relating to Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the salaries of the following named officers, of the county of Allegheny, be fixed and established at the following sums, to be computed from the first day of January, Anno Domini one thousand eight hundred and sixty-four, to wit: that of the controller shall be three thousand dollars, that of the clerk of the commissioners shall be one thousand dollars, that of the clerk of the controller shall be one thousand dollars, and that of the solicitor shall be eight hundred dollars; said sums to be paid, quarterly, out of the treasury of said county.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 777.

## An Act

To authorize the appointment of an inspector of stationary steam engines and steam boilers, in and for the city of Philadelphia.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

An inspector of stationary engines, boilers, &c., to be appointed, annually, by the mayor, with the advice of select council.

To give bond.  
Official term, when to commence.

Mayor may suspend.

Duties and powers of inspector.

Certificates to be given.

Councils to make regulations, establish an office, fix compensation, &c.  
Assistants.

That the mayor of the city of Philadelphia may nominate, in the month of June, annually, and by and with the advice of the select council of the said city, appoint a person, skillful and competent, for the discharge of the duties hereinafter directed to be performed by him, to be the inspector of stationary engines, in and for the city of Philadelphia; he shall, before entering upon the duties of his office, give bond in the sum of ten thousand dollars, with security, to be approved by the mayor; he shall enter upon the performance of its duties, on the first Monday of July, in every year hereafter, and shall hold until his successor be duly qualified; any vacancy shall be filled in like manner, and the mayor may, at any time, suspend the said inspector from the further performance of the duties, until the councils of the city of Philadelphia shall otherwise direct.

**SECTION 2.** It shall be the duty of the inspector carefully to examine and inspect all stationary steam engines and steam boilers, erected, or in use, at the time this act goes into effect; and thereafter, no stationary steam engine, or steam boilers, shall be erected and put into use and operation, in the city of Philadelphia, without being first inspected and certified to be competent and safe, under the hand and seal of the officer created by this act; and he shall furnish to the owner, proprietor, or other person, using such engine, or steam boilers, a certificate, under his hand and the seal of his office, that it has been so inspected, and found to be competent and safe; he shall, from time to time, and as often as he may deem expedient, examine all, or any, such engines, or steam boilers, in use, or operation, and, for such purpose, he, together with his assistants, may enter upon any premises, and require the removal of any part of the building, fixtures, or machinery, and he shall note in a book, to be kept for that purpose, the result of every such examination; and he shall, at least once in every year, make such examination, and give certificate of the result thereof, whenever required.

**SECTION 3.** The councils of the city of Philadelphia shall have power to make all needful rules and regulations, for the purpose of carrying the foregoing provisions into effect, and shall provide for the establishment of an office for the said inspector; also, for so many and such assistants, and other officers, as they may deem necessary, shall fix adequate rates of



compensation for the said inspector and all other officers, shall establish the fees for services under this act, which shall be paid into the treasury of the city of Philadelphia, and shall provide such other regulations, as may be necessary, to carry into effect the provisions of this act; and they may provide for the performance of the duties, hereinbefore enjoined, by the deputies, or other assistants of the said inspector, as they may deem necessary.

SECTION 4. If any person shall on, or after, the first Monday of July next, maintain, or keep in use, or operation, or shall thereafter put in use, or operation, any stationary steam engine, or steam boiler, within the said city of Philadelphia, without having first received a certificate that the same has been found to be safe and competent, as is hereinbefore provided for, or shall put, or keep, in use, or operation, any such stationary steam engine, or steam boilers, within the said city, after notice from the said inspector, that the same is not competent and safe, he, or she, so offending, shall be deemed guilty of a misdemeanor, and, upon conviction in the court of quarter sessions for the said county, shall be sentenced to pay a fine not exceeding five thousand dollars, and to undergo imprisonment in the jail of said county, either with, or without, labor, as the court may direct, for a term not exceeding two years; and each and every such person shall be liable for all damages that may accrue directly, or indirectly, to any person, or persons, whatever.

SECTION 5. So much of any law, or laws, as shall be inconsistent herewith, shall be and the same are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 778.

## An Act

Relative to draining certain lands in Pollock township, Lawrence county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners appointed to locate and lay out the route for a ditch.

That Samuel Medole, artist, Hiram Pollock, William Manning, Samuel M'Dole, William C. Harbison and John M. Warnock, or a majority of them, are hereby appointed commissioners, to view, locate and lay out, the route for a ditch, in Pollock township, in the county of Lawrence, commencing at a point near the Butler and Pittsburg road, running a northwardly direction, to the Neshannock creek, near Pearson's dam, for the purpose of carrying the water, which collects there, into said Neshannock creek, and thereby preventing a repetition of the floods and damage to roads and streets, heretofore occurring in said township.

To be sworn.

SECTION 2. Said commissioners, before entering on the duties of their offices, shall be sworn, or affirmed, to perform their duty with fidelity and impartiality; and shall, thereupon, on or before the tenth day of June next, Anno Domini one thousand eight hundred sixty-four, proceed to view, locate and lay out, the route of such ditch, having first given due and timely notice of the time and place, at which they will meet, by at least three written or printed notices, put up for five days previously, at public places, in said township.

To give notice of meetings.

Duties of commissioners.

SECTION 3. They shall examine the premises, lay out and mark the route of such ditch, and determine the width of the same; they shall, also, estimate and report the amount of damages, which each and every person, through whose land said ditch will pass, may sustain, by reason of the said ditch; they, also, shall hear all persons, in any way interested in said matter, and determine their complaints, claims, suggestions, et cetera.

Report of proceedings to be made to court.

SECTION 4. They shall make a report, in writing, of their proceedings, to the next court of quarter sessions of said county, after they shall have concluded thereon, wherein they shall clearly show, by draft of the route of said ditch, and its width at different points, the land owners through which it shall pass, the fences, streets, streams, roads, et cetera, and the amount of damages, which they award to each of such land owners; said report, when filed, shall have the force and effect of a record of a public road, laid out and confirmed by authority of said court: *Provided*, That any person may have a re-view of his, or her, or their damages, in the same manner as is allowed and practised in said court, in case of public roads.

To have the effect of a record of a public road.  
Proviso.

Compensation of commissioners.

SECTION 5. The commissioners shall be paid for their services, the same amount, and in the same manner, as if they had been appointed for the purpose of viewing and laying out a public road, in said courts, and the re-views of damages, in like manner and amount, as if appointed for that purpose, by said court.

How damages to be paid.

SECTION 6. The damages occasioned by said ditch shall be paid in the same manner, as in the case of the view of public roads in said county.

Duty of supervisors.

SECTION 7. On the filing of said report, locating said ditch, the supervisors of the aforesaid township, at the expense of said township, shall open and construct said ditch, and turn the water into said ditch, and keep the said ditch in repair.

SECTION 8. In case said commissioners, or a majority of them, fail, or neglect, to serve, the said court shall have power to supply their places, by appointment.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 779.

## An Act

To authorize the commissioners of Lawrence county to borrow money, for the purpose of effecting a compromise with the holders of bonds, issued by said county to railroad companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the county of Lawrence is hereby authorized to borrow money, at any rate of interest, not exceeding six per centum per annum, payable semi-annually, at the county treasury, and for any term of years, which may be satisfactory to the commissioners of said county, to be used only in obtaining compromises of the bonds issued by said county to railroad companies; and the said county is hereby authorized to secure the payment of the money, so borrowed, by bonds, payable, with interest, as aforesaid, at the county treasury; and the said bonds shall not be subject to taxation, nor the said moneys diverted to any other purpose, by said commissioners, nor by any judicial process whatever.

Authorized to borrow money and issue bonds therefor.

How to be used.

SECTION 2. That, hereafter, it shall not be necessary for the court of common pleas, of said county of Lawrence, to make an order for the payment of claims, relating to the public purposes of said county; and so much of the act, as requires such order, be and the same is hereby repealed.

Orders by court for payment of certain claims, relative to.

SECTION 3. That so much of the funds, of said county, raised by taxation, as are necessary for the said public purposes of said county, or as borrowed, as provided for in the foregoing section, or to pay off the debt, incurred for building purposes,

Prohibition as to appropriation of certain funds.

shall not be diverted to any other purpose, by any judicial process whatever.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 780.

## An Act

Relating to paving and curbing, in the borough of Lawrenceville, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Repeal of certain provisions relative to payment of cost of paving, curbing, &c.

That so much of the third section of the act of April second, one thousand eight hundred and sixty, entitled "An Act supplementary to an act, incorporating the town of Lawrenceville into a borough," approved the thirteenth day of February, Anno Domini one thousand eight hundred and thirty-four, as provides, that the owner or owners of any lot, or lots, in said borough, may pay the one-fifth of the amount, assessed thereon, for paving any street, lane, or alley, on completion of the work, and the remainder in four equal annual instalments, from the time the paving is done, with interest, be and the same is hereby repealed.

Expenses thereof to be hereafter paid, within one year from completion of work.

SECTION 2. That the cost and expenses of the paving and curbing of any street, lane, or alley, in said borough, shall be paid within one year, from the completion of the work, or sooner, if the councils of said borough shall so direct.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 781.

## An Act

To prevent cattle, horses, sheep, or hogs, from running at large, in Bethlehem township, Northampton county.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That from and after the first day of May next, no cattle, horses, sheep, or swine, shall be suffered to run at large, or upon the public roads, or highways, in the township of Bethlehem, Northampton county, under the penalty of one dollar for the first offence, and for any subsequent offence, no less than two dollars, nor more than five dollars. The running at large of cattle, &c., prohibited. Penalty.

*SECTION 2.* That it shall be the duty of the constable within the said township, and he is hereby directed and empowered, without any special warrant, or other authority than this act, to seize and secure every animal of the cattle, horse, sheep, or hog kind, that may be found running at large, as aforesaid, and the same to sell, at public sale, in the same manner as is provided by law for selling strays, giving the owner, if he can be found, at least five days' notice, previous to such sale; if said owner shall pay to the constable the penalty, as is provided in section first, and, also, pay for the expense of keeping said animal, or animals, then it shall be the duty of said constable to deliver said animal, or animals, to the owners; but if he shall make a sale, as aforesaid, he shall pay the overplus, after deducting the said penalty and expenses, to the owner; and the constable, making such seizure, shall be allowed, for the same, to retain one-half of the penalty, and it shall be his duty to pay the other half to the school treasurer of the township named in the first section of this act, for the use of the schools of said township. Duty and powers of constable.

*SECTION 3.* That if any constable shall neglect, or refuse, to seize, or secure, any animal, aforesaid, found running at large, after being notified by any person to seize and secure the same, such constable shall pay a fine of five dollars, for the use of the schools of the aforesaid township, for every such neglect, or refusal. Penalty for neglect of duty by constable.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 782.

**An Act**

Defining the duties of high constable of the borough of Dauphin, in the county of Dauphin.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the high constable of the borough of Dauphin, in the county of Dauphin, is hereby empowered and required to perform all the duties enjoined upon constables, and shall receive the same fees for such services as are now, by law, allowed to constables.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 783.

**An Act**

To change the place of holding the elections, in the borough of Susquehanna Depot, Susquehanna county.

WHEREAS, The place of holding elections, in the borough of Susquehanna Depot, in the county of Susquehanna, has recently been destroyed by fire :

*And whereas,* There will be no court in session, in said county, before the recurrence of the next election, authorized to designate a place for holding such elections; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the general, special and borough, elections for the borough of Susquehanna Depot, in the county of Susquehanna,

shall, hereafter, be held at the house known as the Thompson Hotel, in said borough.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN

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No. 784.

## An Act

To increase the compensation of the county commissioners of Bedford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That from and after the passage of this act, the county commissioners of Bedford county shall receive, out of the county treasury, the sum of two dollars, for each and every day necessarily employed by them, or either of them, in attending to the duties of their offices: *Provided*, That the said allowance, of two dollars per diem, shall be paid only for any number of days in each year, not exceeding seventy-five; and if a greater number of days shall be served, then the said commissioners shall receive, for the additional days, necessarily served in the discharge of their duties, the same per diem pay now allowed by law.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 785.

**An Act**

To change the place of holding the elections, in Tremont township, Schuylkill county.

WHEREAS, The public house, at which the general and township elections of Tremont township, Schuylkill county, has been destroyed by fire, since the last election :

*And whereas,* There is no probability that said house will be re-built in time for the ensuing special election :

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the general and township elections, in Tremont township, in Schuylkill county, shall, hereafter, be held at the house of Joseph Enzensperger, called the National House, in the town of Tremont.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 786.

**An Act**

For the relief of John Beatty, of Butler county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and required to pay John Beatty, of Butler county, a soldier of the war of one thousand eight hundred and twelve, or his order, a gratuity of forty dollars, and an annuity of forty dollars during the term of his natural life, commencing on the first day of January, one thousand eight hundred and sixty-four, and pay-



able half-yearly thereafter, on the first days of January and July.

HENRY C. JOHNSON,  
Speaker of the House of Representatives:

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 787.

## An Act

To declare Washington's birth day a public holiday.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the twenty-second day of February, (the birth day of the immortal Washington,) in each and every year, shall be deemed and proclaimed as a public holiday, and shall be duly observed as such; the payment of all notes, checks, bills of exchange, or other instruments, negotiable by the laws of this commonwealth, and becoming payable on said twenty-second day of February, shall be deemed to become due on the secular day next preceding the aforementioned day; on which said secular day, demand of payment may be made; and in case of non-payment, or dishonor, of the same, protest may be made, and notice given, in the same manner as if such notes, checks, bills of exchange, or other instruments, fell due on the day of such demand; and the rights and liabilities of all parties, concerned therein, shall be the same as in other cases of like instruments, legally proceeded with: *Provided*, That nothing, herein contained, shall be so construed as to render void any demand notices, or protest, made, or given, as heretofore, at the option of the holder, nor shall the same be so construed as to vary the rights, or liabilities, of the parties to any such instruments, heretofore executed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 788.

**An Act**

For a pension for Henry Ruff, of Berks county, an old soldier in one thousand eight hundred and twelve and one thousand eight hundred and fourteen.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized and required to pay unto Henry Ruff, of Berks county, an old soldier in one thousand eight hundred and twelve and one thousand eight hundred and fourteen, an annuity of forty dollars, payable annually, on or after the first day of January, in each year, including the year of one thousand eight hundred and sixty-four.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 789.

**An Act**

To compel the manufacturers of firkins, kegs and tubs, intended for the packing of butter, or lard, in the counties of Erie, Crawford and Warren, to mark the weight thereon.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Manufacturers  
of firkins, kegs,  
&c., in certain  
counties, re-  
quired to mark  
the weight  
thereon.

That each and every person, or persons, firm, or association, engaged in the manufacture of firkins, kegs, or tubs, of any kind, in the counties of Erie, Crawford and Warren, used, or intended to be used, for the packing of butter, or lard, shall mark, or brand, the true weight of such vessel, together with the name of the maker, in plain and indellible figures and let-

ters, on the outside of such vessel, before the sale, or delivery, thereof, to the purchaser, or purchasers.

SECTION 2. If any person, or persons, firm, or association, in the counties aforesaid, shall sell, or deliver, to any person, or persons, any such firkin, keg, or tub, intended and ordinarily used for the package of butter, or lard, as aforesaid, without first marking the true weight of such vessel thereon, in the manner aforesaid, he, or they, so offending, shall, for each and every such vessel, sold, or delivered, as aforesaid, forfeit and pay the sum of two dollars, to be sued for and recovered, as debts of like amount are, by law, recovered; said penalty to go, one-half to the person suing for the same, and the other half to school directors of the district, in which said suit is brought: *Provided*, That there shall be no exemption of property from levy and sale, on any execution issued for the collection of any penalty named under this act.

Penalty for selling vessels without mark of weight.

Proviso.

SECTION 3. Any person, or persons, engaged in purchasing butter, or lard, for sale, or market, who shall purchase, or use, for the purposes aforesaid, any firkin, keg, or tub, in the counties aforesaid, not marked as aforesaid, shall forfeit and pay the sum of two dollars for each and every such vessel purchased and used, as aforesaid, to be sued for and recovered as debts of like amount are, by law, recovered; said penalty to go, as provided for, in the second section of this act.

The use of firkins, tubs, &c., not marked, prohibited.

Penalty.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 790.

## An Act

To increase the pay of witnesses, in the counties of Mifflin and Somerset.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the pay of witnesses, duly subpoenaed, to attend the several courts of Mifflin and Somerset counties, shall be one dollar per diem, for each

## LAWS OF PENNSYLVANIA,

day they shall necessarily attend the said several courts, as aforesaid, together with mileage, as heretofore allowed by law.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 791.

## An Act

Relative to the several courts of Blair county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That from and after the passage of this act, the several courts of Blair county shall be held, or continued, one or two weeks, at the discretion of the court.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 792.

## An Act

To authorize Alexander W. Leisenring, Solomon Driesbach, Thomas L. Foster, and their associate trustees, to grant and convey, to the borough of East Manch Chunk, a certain burial lot.

Preamble.

WHEREAS, Caleb Cope and James Cox, surviving trustees, and the Lehigh Coal and Navigation Company, by their in-

denture, dated the fourth day of November, Anno Domini one thousand eight hundred and fifty-three, did grant and convey, unto Alexander W. Leisenring, Solomon Driesbach, Thomas L. Foster, Jonathan R. Levining and John Beighe, a certain lot or piece of ground, situate in the township of Mauch Chunk, county of Carbon, state of Pennsylvania, containing four acres, to hold the same in trust for the purposes of a cemetery, or burying ground, for the use of the inhabitants of East Mauch Chunk and the vicinity :

*And whereas*, The village of East Mauch Chunk has, since the date of said grant, been incorporated, under the name of the borough of East Mauch Chunk :

*And whereas*, There is no provision in said grant, for a succession in said trust, nor for clearing, fencing, or other improvements of said ground, necessary to render it suitable for the purpose for which it was granted ; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That it shall and may be lawful for the grantees, named in said deed of trust, or the survivors of them, to grant and convey the lot of ground, therein described, to the borough of East Mauch Chunk, to hold the same for the uses in said deed mentioned.

Conveyance of certain real estate authorized.

**SECTION 2.** That for the purpose of providing means for the fencing, clearing and other improvements of said ground, the burgess and town council may enact such ordinances and regulations, not contrary to the laws of this commonwealth, as they may deem necessary and expedient, fixing the rate or price, for license to bury therein, for individuals and families, and to regulate the depth and position of graves, and for the preservation and protection of the fences, graves and monuments thereof ; and if the funds, from time to time raised for licenses and privileges, as aforesaid, shall not be sufficient, may appropriate, out of the borough treasury, so much as shall be necessary for the purposes aforesaid.

Burgess and town council empowered to enact ordinances in relation thereto.

**HENRY C. JOHNSON,**

Speaker of the House of Representatives.

**JOHN P. PENNEY,**

Speaker of the Senate.

**APPROVED**—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

**A. G. CURTIN.**

No. 793.

*An Act*

To authorize the re-examination of the accounts between the commonwealth and the county of Cambria.

WHEREAS, It is alleged that an error exists, in the accounts of the county of Cambria with the commonwealth, which, if not corrected, will result in great injustice to the tax-payers of the county of Cambria; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer be and they are hereby authorized and required to open, re-settle and adjust the accounts between Cambria county and the commonwealth, from the year one thousand eight hundred and sixty, to the year one thousand eight hundred and sixty-three, inclusive, and ascertain the balance, if any, due the commonwealth.

HENRY C JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 794.

*An Act*

Supplementary to an act, changing the mode and manner of appointing collectors of taxes, in the county of Lehigh.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the first section of the act of assembly, of the twenty-fifth day of March, one thousand eight hundred and forty-four, entitled "An Act changing the mode and manner of appointing collectors of taxes, in the county of Lehigh," as requires the difference between the rate per centum,

allowed to the collectors of state and county taxes, in the several wards, townships and districts, in said county, and the rate of five per centum, if any, to be paid by the commissioners of said county, to the overseers of the poor, of such ward, township, or district, be and the same is hereby repealed; and that the commissioners, aforesaid, shall immediately pay such difference between the allowance for collection and the rate of five per centum, to the directors of the common schools, of the proper township, ward, or school, district, to be by them applied toward the maintenance of said schools: *Provided*, That the mode and manner of the appointment of such collectors, and their liability for the faithful performance of their duties, shall be and remain the same, as provided in the act to which this is a supplement.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 795.

## An Act

Relating to the military or commutation taxes, in the counties of Crawford and Warren.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the county auditors of the counties of Crawford and Warren, respectively, be and they are hereby authorized and required, at their next annual meeting, to audit and settle the accounts of their respective county treasurers, for moneys received and paid out, on account of the military or commutation tax, prescribed by the act of twenty-first April, Anno Domini one thousand eight hundred and fifty-eight, and annually, thereafter, to settle said accounts; and the next settlement, succeeding the passage of this act, shall include the accounts of said treasurers, for the years one thousand eight hundred and sixty-two, one thousand eight hundred and sixty-three and one thousand eight hundred and sixty-four; and said auditors are required to report all outstanding military or commutation taxes, to the commissioners of their respective

Auditors of certain counties to settle, annually, accounts of treasurers for military taxes.

Next settlement to include accounts for years 1862, '63 and '64. Outstanding taxes to be reported to commissioners.

counties; and the several treasurers are hereby required to pay to their successors the balance found in their hands.

Exonerations,  
relative to.

SECTION 2. That the commissioners of said counties, respectively, be and they are hereby authorized and required to exonerate the military or commutation tax, mentioned in the first section of this act, when the same cannot be collected, at the same time and in the same manner, as county taxes are by law exonerated; and that all laws, inconsistent with this act, so far as said counties are concerned, be and the same are hereby repealed.

Repeal.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 796.

## An Act

Supplementary to an act, entitled "An Act to incorporate the Connecting Railway Company," approved the fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

Mode of assessment and payment of damages.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That where the Connecting Railway Company cannot agree, with the owner, or owners, of any land, or materials, as to the damages to be paid for the entry upon, and occupation of, the said land, or the use of said materials, under the authority conferred upon said company by the act to which this is a supplement, such damages shall be assessed and paid, or secured to be paid, after they shall have been agreed upon, or assessed, in the manner provided in the fourth section of the act, approved the twenty-seventh day of March, one thousand eight hundred and forty-eight, entitled "A further supplement to an act to incorporate the Pennsylvania Railroad Company, passed April thirteenth, one thousand eight hundred and forty-six," and the first section of an act, approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty, entitled "A further supplement to an act incorporating the Pennsylvania Railroad Company, and relative to lateral railroads in Lykens Valley, in Dauphin county," and not otherwise; and that the fourth section of the act, to which this is



a supplement, so far as it subjects the said Connecting Railway Company to all the provisions and restrictions, and entitles the said company to all the privileges, of the general laws of Pennsylvania, affecting railroad corporations, in reference to securing, assessing and paying, damages resulting to property owners from the location and construction of the railway, of the said company, with its appurtenances, or from the use of materials for the same, be and the same is hereby repealed: *Provided however*, That the number of viewers, to assess the damages, under this act, shall be seven, of whom five shall be required to constitute a quorum; all of said viewers shall be disinterested, and freeholders, and residents of the city of Philadelphia: *And provided further*, That should a vacancy, or vacancies, occur, at any time, in the number of viewers, appointed by the court; that then the said court of common pleas shall fill such vacancy, by the appointment of one, or more, additional viewers, on the application of either the said railroad company, or the owners of the land, whose damages are to be assessed by such jury, on the line of the said road: *And provided further*, That it shall be lawful for the said Connecting Railway Company, or the owner of any land, or materials, occupied, or used, by the said company, as aforesaid, to file exceptions for, or on account of, any irregularity in the appointment, proceedings, or report, of the viewers, or on account of any over estimate, or under estimate, of damages assessed by them, within thirty days after the report of the said viewers shall have been filed.

Repeal of certain provisions relating thereto

Number and qualifications of viewers.

Vacancies, how filled.

Exceptions may be filed.

SECTION 2. That it shall and may be lawful for the directors of the said Connecting Railway Company to borrow, from time to time, such sums of money, as they may deem needful, for the purpose of constructing and equipping their said railroad, and acquiring all appurtenances thereto, and to issue bonds therefor, with coupons attached, bearing interest at the rate of six per centum per annum, and to secure the same by a mortgage of their railroad, constructed, or to be constructed, and all their property, real and personal, acquired, or to be acquired, and all their corporate rights and franchises whatsoever, any provision in the charter of the said company to the contrary notwithstanding: *Provided*, That no bond shall be issued for a less sum than one hundred dollars.

Authorized to borrow money and issue bonds therefor, secured by mortgage.

SECTION 3. That the said Connecting Railway Company shall accept, or reject, this supplement, within sixty days after its passage.

Provide.

Acceptance of this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 797.

**An Act**

To incorporate the M'Neal Coal and Iron Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

**Corporators.** That J. R. Sower, William H. Hamed, Samuel J. Goucher, John S. H. Hammond, and such other persons as may now, or hereafter, become associated with them, their successors and assigns, be and they are hereby constituted a body politic, by the name, style and title, of the M'Neal Coal and Iron Company, with all the powers, privileges, rights and franchises, incident to a corporation, and, in law, pertaining to a body politic and corporate; and that the said company shall have and enjoy all the rights, privileges and franchises, and subject to all the limitations and restrictions, of an act incorporating the Powelton Coal and Iron Company, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, and the several supplements thereto.

**Title.**

**Privileges.**

**Subject to.**

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 798.

**A Supplement**

To an act to regulate the sale of intoxicating liquors.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of section eight, of an act approved the thirty-first day of March, Anno Domini one thousand eight hundred and fifty-six, entitled "An Act to regulate the sale of intoxicating liquors," as authorizes the granting of license to the

petitioner with six signers, living in a district having less than fifty taxable inhabitants, be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 799.

## An Act

Relative to Notaries Public, in the borough of Strasburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That so much of an act, entitled "An Act to enable the governor to appoint notaries public, and for other purposes therein named," approved the fourteenth day of April, one thousand eight hundred and forty, as renders, or may be construed to render, justices of the peace ineligible to the office of notary public, shall not be construed to apply to the borough of Strasburg, in the county of Lancaster; and the commission of any justice, who may have heretofore been appointed a notary public, in said borough, shall be good and valid in law, as though the above mentioned act had never been passed: *Provided*, That they shall not have jurisdiction in cases arising on paper, by them protested.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 800.

**An Act**

Relating to Notaries Public, in Clearfield county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That so much of an act, entitled "An Act to enable the governor to appoint notaries public, and for other purposes therein named," approved the fourteenth day of April, one thousand eight hundred and forty, as renders, or may be construed to render, justices of the peace ineligible to the office of notary public, shall not be construed to apply to the county of Clearfield; and the commission of any justice of the peace, who may heretofore have been appointed a notary public in said county, shall be good and valid in law, as though the act aforesaid had never been passed: *Provided,* They shall not have jurisdiction in cases arising on paper, by them protested.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 801.

**A Supplement**

To an act to incorporate the Elk Hill Coal Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of the Elk Hill Coal Company, from and after the passage of this act, is hereby changed to the Elk Hill Coal and Iron Company, with all the powers, privileges and authorities heretofore granted to the Elk Hill Coal Company.

**SECTION 2.** That the said Elk Hill Coal and Iron Company shall have the right to manufacture iron, and dispose of the same, as other property of the company, and may locate their

Title changed.

Authorized to  
manufacture  
iron, &c.

works in Luzerne county, for the purpose of carrying on the coal and iron business; and the said company are hereby authorized to increase their capital stock to any sum not exceeding twelve hundred thousand dollars, in such manner, and at such times, as the board of directors may deem proper: *Provided*, No such increase shall be made, unless the consent of stockholders, owning two-thirds of the stock, shall be first obtained; and that the said corporation shall pay into the state treasury one-half of one per centum on the capital stock hereby authorized, or hereafter created, and subscribed, and to be paid in four equal instalments, and such other tax as is now, or may hereafter be, imposed by law on similar corporations.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 802.

## An Act

To incorporate the Hendrick Lubricating Oil Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Eli E. Hendrick, Delos H. Jones, John R. Fordham, D. G. Smith and Silas Leach, of Luzerne county, and John Fleming, of Allegheny county, Lewis Eckel and Garvin H. Woodward, of Philadelphia, their associates, successors and assigns, and all such persons and parties, companies, or corporations, as shall become stockholders in the company, hereby incorporated, shall be and they are hereby constituted a body politic and corporate, by the name, style and title, of the Hendrick Lubricating Oil Company, to be located in the vicinity of Pittsburg, Allegheny county, Pennsylvania, and by said name, style and title, shall have a succession and a common seal, with power to alter the same, at pleasure; and shall have power to sue and be sued, plead and be impleaded, in any court of this commonwealth, or elsewhere, and to appoint all necessary agents and assistants; and may have all the rights and power necessary to carry on, manage and develop their business, as a manufacturing company, in manufacturing lubricating oils, of the various kinds and grades; and shall have power to es-

May increase  
capital stock.

Proviso.

Bonus.

Tax.

Corporators.

Name.

Location.

Seal.

Powers and  
privileges.

tablish branches for the manufacture of their oils, at such points in the state as they may deem necessary, and generally to make and manufacture, vend, sell and dispose of, their products, and for that purpose, shall have power to purchase and hold all such personal and other property, as may be necessary, or convenient, for the prosecution of their business, and to sell and dispose of the property, real and personal, of said company.

Subscriptions  
to stock.

SECTION 2. That a majority of the corporators, herein named, may proceed to open books, for subscriptions to the capital stock of said company, at Pittsburg, and when six thousand shares are subscribed for, and fully paid, in money, or as herein provided, the corporators named in this act, or a majority of them, shall call a meeting of the stockholders, for holding the first election of directors of said company; and when said election is made, this act shall take full effect; each share of stock shall be entitled to one vote, and stockholders may vote in person or by proxy.

First election of  
directors, when  
to be held.

Votes.

Capital stock.

Subscriptions,  
how payable.

SECTION 3. That the capital stock of said Hendrick Lubricating Oil Company shall be one million dollars, to be divided into shares of one hundred dollars each; the subscriptions to the capital stock may be payable in money, or partly by the purchase of letters patent, granted by the United States, under date of July first, eighteen hundred and sixty-two, to Eli E. Hendrick, for the manufacture of lubricating oils; the valuation of said letters patent to be fixed by a majority in interest of its stockholders, at the time of such purchase.

Management.

Directors, term  
and qualifica-  
tions of.

Failure to hold  
election, rela-  
tive to.

Officers and  
agents.

Vacancies in  
board.

Quorum.

By-laws.

SECTION 4. That the affairs of said company shall be managed and conducted by a board of directors, to consist of not less than five, nor more than thirteen, as may be determined, from time to time, by the stockholders, at any annual meeting; said board of directors shall be stockholders, and shall be elected, annually, after the first election, as hereinbefore provided for, and shall hold their offices for one year, and until their successors are elected; but any failure to elect such directors, annually, shall in no wise impair, or affect meanwhile, the rights and powers of those holding over, or rights and interests of said company, in any way; said board of directors shall elect a president, from one of their number, and shall appoint a treasurer, secretary, and such officers and agents as they may deem necessary to manage the affairs of the company, and shall fill all vacancies, occurring in their own body, until the next succeeding election by stockholders; and a majority of the board shall form a quorum, for the transaction of business; they shall have power to make by-laws, for the regulation of the affairs of the company, subject to the revision and approval of the stockholders, and not inconsistent with the laws of this commonwealth.

Authorized to  
borrow money  
and issue se-  
curities there-  
for.

SECTION 5. That said company may borrow money and create indebtedness, in such way and manner as the board of directors may deem necessary, for the prosecution and management of the business of the same, and issue the securities of said company therefor, in such form and manner, and payable in such places, as they may deem proper, at a rate of interest not exceeding seven per centum; and dispose of such securi-

ties, in such manner and at such places as such board may direct.

SECTION 6. That said company shall pay, into the treasury <sup>Bonus.</sup> of the commonwealth, a bonus of one-half of one per centum, on the capital stock, hereby authorized, or hereafter created, in four equal, annual, instalments, and such other tax as is <sup>Tax.</sup> now, or may hereafter be, imposed by law on corporations; and the stockholders of said company shall be individually <sup>Individual lia-</sup> liable for all debts due mechanics, workmen and laborers, em- <sup>bility.</sup> ployed by said company, and for country produce, to be sued for and collected, as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Iron and Coal Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three: *Provided*, That executors, administrators, guardians and all <sup>Proviso.</sup> other trustees, who may hold stock in their representative capacity, shall be entitled to represent the same, without being subject to any personal liability therefor, or on account thereof; and that persons holding stock, pledged by the owners thereof, as collateral security, shall not be held personally subject to any liability as stockholders, and shall not be entitled to represent said stock at the meetings of stockholders, but that the owners thereof shall be entitled to such representation, as fully as though no such pledge had been given: *And provided further*, That the legislature hereby reserves <sup>Reservation.</sup> the right to amend, alter, or repeal, this act, at any time; in such manner, however, as shall do no injustice to the stockholders.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 803.

*An Act*

To authorize the sale of certain real estate.

WHEREAS, The late Reverend David Mulholland, by his last will, duly proved at Philadelphia, August twenty-seven, Anno Domini one thousand eight hundred and sixty-one, devised the residue of his real estate, in trust, that the rents, income and profits thereof should be applied to the maintenance and support of a school for poor Roman Catholic female children of the

parish of Saint John the Baptist, in Manayunk, and that the superintendence and management of his residuary estate, and the rents and income thereof, to be applied as afore-said, should vest in and devolve upon three practical men as therein provided :

*And whereas*, Trustees to execute said will have been duly chosen, and the said school has been established :

*And whereas*, Said estate consists, principally, of lots of ground in, or near, Manayunk, which are unimproved, and it would be greatly to the advantage of the trust, and increase the benefits of the said charity, if the said trustees were empowered to sell the said unimproved lots of ground, and apply the income of the purchase money in aid of the trust, but no power of sale having been provided in said will, and it being doubted whether the said three superintendents, or managers, can, under any existing act of assembly, obtain a judicial decree for the sale thereof ; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Patrick A. Nugent, James M'Callen, James M'Glenchy, the superintendents and managers, now acting under the provisions of the said last will of the late Reverend David Mulholland, deceased, be and they are hereby fully authorized and empowered, to sell the real estate, late of the said testator, or any part thereof, at public, or private, sale, and convey a good and indefeasible title to the purchaser, or purchasers, thereof : *Provided*, That the orphans' court of Philadelphia shall approve of the sale, or sales, and that the said grantors shall give surety, to be approved by said court, to invest the proceeds for the use and purposes mentioned in the said will.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 804.

## An Act

To empower the court to appoint an additional constable, in the borough of Strasburg, York county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*



That the court of quarter sessions, of York county, be and are hereby empowered to appoint an additional constable, for the borough of Strasburg, York county, and the constable, so appointed, shall, until the next election for constable, in said borough, possess all the powers and authorities, and be authorized to do and perform all the acts, and be subject to all liabilities, of a regularly elected constable: *Provided*, Said court of quarter sessions need not appoint a constable for said borough, if they do not think the business requires an additional constable.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 805.

## An Act

To incorporate the Philopatrian Hall Company, of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That M. A. Barr, Joseph J. Dugan, Andrew J. M'Grath, David M'Minnin, B. Rafferty, Daniel J. M'Closkey, William P. Curtis, Thomas P. M'Laughlin, J. D. Ward, Daniel J. Sweeney and Thomas Kelsh, associated together for the purpose of erecting a building, for literary, gymnastic and other purposes, are hereby enacted into a body politic, entitled the Philopatrian Hall Company, of Philadelphia, and shall have perpetual succession, be capable of suing and being sued, to have a common seal, to take, and hold, for the use of said company, any real estate, goods, chattels and sum, or sums, of money, by gift, grant, bargain, sale, will, devise, bequest, or otherwise, from any person, or persons, whomsoever, capable of making the same. Corporators.  
Purpose.  
Title.  
Privileges.  
Seal.

SECTION 2. That the present capital stock be twenty-five thousand dollars, with the privilege of extending it to one hundred and twenty-five thousand dollars, in shares of twenty-five dollars each. Capital stock.

SECTION 3. That the affairs of said company shall be conducted by thirteen directors, one of whom shall be chosen president of. Directors, election of.

dent, for the term of one year, the first to be chosen on the first Monday in June, from and after the passage of this act.

By-laws.

SECTION 4. That the company shall have full power, at any general meeting of the stockholders, to make such by-laws, as may be deemed necessary for the better regulation of the said company, and not repugnant with the constitution and laws of this state, or of the United States.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 806.

## An Act

Regarding the port of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Construction of certain section in relation to recovery, by master warden, of expenses of raising, removing and selling vessels, with penalty, &c.

That the first section of the act, entitled "An Act relative to the duties of the port warden of Philadelphia," approved April fourteenth, eighteen hundred and fifty-nine, shall be so construed as to authorize said master warden to recover, from the owner, master, or other agent, having control of said vessel, all the expenses of raising, removing and selling, said vessel, together with the penalty aforesaid, and costs of suit, in one suit, in like manner as is provided for the recovery of all fines, forfeitures, penalties, sum, and sums, of money, by the act, entitled "An Act to establish a board of wardens for the port of Philadelphia," approved twenty-ninth March, eighteen hundred and three.

Certain powers relative to cleansing docks vested in port wardens.

SECTION 2. That the powers, vested in the councils of Philadelphia, by an act, approved April twenty-second, eighteen hundred and fifty-eight, entitled "A further supplement to the act incorporating the city of Philadelphia," and by the twelfth section of an act, approved May thirteenth, eighteen hundred and fifty-six, entitled "A further supplement to the act consolidating the city of Philadelphia," be and the same are hereby vested in the port wardens: *Provided, That* all liens filed, to collect the expenses of said work, shall be filed by the city solicitor, and the lien for said work shall have

Liens for work to be filed by city solicitor.

the same force and effect as liens for municipal work, in the city of Philadelphia, under existing laws, and the claims filed for the same shall be governed by the same rules of evidence as those filed in the city of Philadelphia, for the removal of nuisances, by the board of health.

SECTION 3. That, hereafter, the master warden shall be appointed and commissioned, by the governor, for three years, and until his successor is appointed and qualified, and in default of such appointment, by the governor, for ninety days, a master warden may be chosen by the board of wardens, at a regular, stated, meeting, at which a majority of the members shall be present; and the obligation and duties of the said master warden, as heretofore defined by law, shall be and remain as heretofore, in addition to the obligations and duties now imposed by this act.

SECTION 4. That the captains of all vessels, arriving in the port of Philadelphia, shall enter such vessels at the warden's office, in a book kept for the entry and clearance of vessels, within twenty-four hours next after their arrival; and when such vessel shall be outward bound, it shall also be his duty to clear such vessel, at said office, under the same rules, regulations, fees and penalties, as are now provided by law.

SECTION 5. That masters of vessels shall give an account to the pilot, when boarding, of the draught of such vessel, and in case he shall misrepresent said draught, and give it as less than the actual draught, he shall forfeit and pay the sum of twenty-five dollars, to be sued before and recovered before any alderman, of the city of Philadelphia, by the master warden, who shall pay the same over, when collected, to the society for the relief of decayed pilots, their widows and orphans, he first having deducted the expenses incurred recovering the same.

SECTION 6. That, by direction of the board of wardens, the chief engineer and surveyor, of the city of Philadelphia, shall be required to prepare a map, or plan, from actual survey, to be made, within twelve months, from the passage of this act, of the entire Delaware front of the city of Philadelphia, specifying the depths of water, from the fast land to the wharf line, as already established; and it shall be the duty of the port wardens, upon receipt of said map, or plan, to fix and determine an arbitrary line of low water, beyond which, no encroachments, or improvements, of any kind, shall be made without license had and obtained from the board of port wardens, agreeably to the acts of assembly of this commonwealth; and in case any person shall trespass upon the tide-way of the river Delaware, beyond the line of low water, so defined, they shall be subject to a penalty of not less than five hundred dollars, nor exceeding four thousand dollars, with costs of suit, and shall, if the board of wardens so direct, remove any, or all, obstructions, at their own proper cost and expense; the penalty, so incurred, may be collected, as other penalties, under the original act, and the supplements thereto, establishing a board of port wardens, are collectable, and shall be appropriated to the use of said board of wardens.

SECTION 7. That, hereafter, a quorum of the board of war-

Effect of.

Rules of evidence, relative to.

Master warden to be appointed by governor. In default of such appointment, to be chosen by board. Obligations and duties, relative.

Duties of captains, as to entry and clearance of vessels.

Masters of vessels required to give to pilots an account of draught. Penalty for false return thereof.

Chief engineer and surveyor to prepare map of the entire Delaware front.

Port wardens to fix a low water line.

Penalty for trespassing upon tide-way, beyond line defined.

Removal of obstructions, relative to.

How penalties to be collected and appropriated.

Quorum of board.

dens, for the port of Philadelphia, shall consist of a majority of the members of the said board

Burgess and council of Bristol authorized to elect a member of the board.

SECTION 8. That it shall be lawful for the burgess and council of the borough of Bristol, in Bucks county, by a majority of their whole number, in the month of May, one thousand eight hundred and sixty-four, and every second year thereafter, to elect a suitable person, he being a citizen of said borough, as a member of the board of wardens of the city of Philadelphia, to serve for two years from the first Monday of June, following: *Provided*, That no member of the Bristol borough council shall be eligible to the office of warden, during his term as a member of said council.

Proviso.

When this act to go into effect.

SECTION 9. That this act shall go into effect from and after the first day of June next; and so much of any act, or acts, as are hereby altered, or supplied, or are inconsistent with this act, be and the same are hereby repealed.

Repeal.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 807.

## An Act

To open and straighten Highland and Union avenue, and Thirtieth street, in the Twenty-second ward, and Church and Adams streets, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That it shall be the duty of the court of common pleas of the city of Philadelphia, within one month from the passage of this act, to appoint three commissioners, whose duty it shall be to proceed to view and lay out, widen and straighten, Highland avenue to a sixty feet street, from Thirtieth street, to the Montgomery county line; also, to lay out, widen and straighten, Union avenue, a fifty feet street, from Thirtieth street to the Montgomery county line; also, to lay out, widen and straighten, Thirtieth street, from Highland avenue to Park street; to lay out Adams street, between Tulpehocken street and Johnson street, and Church street, from Musgrove street, as laid out on city plan, to Main street, on the north-west side of said

street, and on south-east side, from Musgrove to Nash street, as laid out on city plan, Twenty-second ward, making the said Church street, between Musgrove and Nash street, to be forty feet in width, and run in a straight line with that part, as conformed by the court of common pleas, between Musgrove and Chew streets; and the said Church street, from Nash street to Main street, to be twenty feet wide. Said extension to be made, and damages to be assessed and paid, as is provided by existing laws, and said streets to be put in good traveling order, by the highway department, immediately upon the confirmation of the report of said commissioners.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 808.

*En Act*

For the relief of William B. Sipes, Lieutenant-Colonel of the Seventh Pennsylvania Cavalry.

WHEREAS, William B. Sipes, lieutenant-colonel of the Seventh Pennsylvania cavalry, was prevented from being mustered into the service of the United States, by reason of sickness, at the time of the organization of said regiment, viz: twenty-first day of August, eighteen hundred and sixty-one

*And whereas*, The said William B. Sipes did hold the position of lieutenant-colonel of said regiment, from the time of its organization; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the board of military claims be and they are hereby authorized, and directed, to adjust the claim of the said William B. Sipes, from the twenty-first day of August, eighteen hundred and sixty-one, to the fifth day of April, eighteen hundred and sixty-two, inclusive; and the auditor general shall draw his warrant, for whatever sum shall be found due, in favor of

the said William B. Sipes, which shall be paid out of any moneys in the treasury, not otherwise appropriated.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 809.

## An Act

To vacate two intended streets, in the Twenty-fourth ward of the city of Philadelphia.

WHEREAS, Two streets, each thirty feet in width, one thereof situate one hundred and twenty feet west of Fortieth street, and intended to lead south from Baltimore avenue to Woodland street, and the other thereof situate the like distance east of Forty-first street, and intended to lead south from said Baltimore avenue to Kingsessing avenue, a distance of about four hundred feet, in the Twenty-fourth ward of the city of Philadelphia, were laid out on the plan of the revised grade and survey regulations of the fourth section of the survey of West Philadelphia, but said streets were never dedicated to public use, and are not intended to be opened, the same not being required for public use; now, therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the said two streets are hereby vacated, and the soil therein vested in fee in the adjoining owners, to the middle thereof, respectively.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 810.

*An Act*

For the opening of Evergreen street, from Twenty-first street to Twenty-second street, in the Twenty-sixth ward, and Venango street, in the Twenty-first ward, of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the chief commissioner of highways, of the city of Philadelphia, shall, within thirty days after the passage of this act, proceed and open, or cause to be opened, for public use, Evergreen street, from Twenty-first street to Twenty-second street, in the Twenty-sixth ward of the city of Philadelphia, and Venango street, from Twentieth street to Twenty-first street, in the Twenty-first ward of said city; said Evergreen street to commence on the west side of said Twenty-first street, at the distance of one hundred and fifteen feet northward from the north side of Catharine street, and to extend westwardly, of the width of thirty feet, between lines parallel with said Catharine street, to the east side of Twenty-second street and Oxford street, Eighth to Tenth street, Diamond street, from Seventh street to Broad street, Twentieth ward.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 811.

*A Further Supplement*

To the act to incorporate the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the twelfth section of an act, entitled "A

Repeal of provision relative to publishing, in newspapers, certain accounts, &c.

further supplement to the act to incorporate the city of Philadelphia," approved February second, one thousand eight hundred and fifty-four, as requires the city controller to publish, in two or more newspapers, annually, verified by his oath or affirmation, the public accounts of the said city, and of the trusts in their care, exhibiting all the receipts and expenditures of the city, the sources from which the revenue and funds are derived, and in what manner the same have been disbursed, each account to be accompanied by a statement, in detail, in separate columns, of the several appropriations made by the city councils, the amount drawn on each appropriation, and the balance standing to the debit, or credit, of each such appropriation, be and the same is hereby repealed.

Validity of ordinances not recorded, relative to.

SECTION 2. That no law shall be construed to impair the validity of an ordinance of the city of Philadelphia, if the same is not recorded; and all ordinances heretofore passed, or which may hereafter be enacted, shall be valid and effectual, although the same may not have been, or may not be, recorded in the office of the recorder of deeds.

Vacancies in councils.

SECTION 3. That in case of a vacancy occurring in either branch of the councils of Philadelphia, the same shall be filled, at the next general election, for the unexpired term.

Salaries of officers.

SECTION 4. That the councils shall have power to fix the salaries of all municipal officers elected by the people.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 812.

## An Act

To extend and open Pulaski street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the chief commissioner of highways of the city of Philadelphia shall, within three months after the passage of this act, proceed and open, or cause to be opened, for public use, Pulaski street, from Seventeenth street to Broad street, in the city of Philadelphia, which said Pulaski street is hereby extended from the west side of said Seventeenth street sixty feet,



the same course it runs, and is opened west thereof, to the east side of Broad street, and Seventeenth street, from Master street to Dauphin street: *Provided*, That no expense shall be incurred, or paid, by the city of Philadelphia, for grading said street.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 813.

## An Act

For the opening of Jackson street, in the Second ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jackson street, as now laid out and opened, northward from Ellsworth street, twenty-five feet in width, at the distance of one hundred and nineteen feet, and from the west side of Tenth street, and parallel thereto, in the Second ward of the city of Philadelphia, be continued and opened, in a direct line, from the point where the same is now built upon and improved with permanent brick messuages, a further distance of about ninety feet, to the south line of Washington avenue; and that the court of quarter sessions of the city of Philadelphia shall, upon application being made to them, appoint a jury of view, to assess the damages occasioned by said opening, which jury shall, immediately after the appointment, assess said damages, and certify the same to the court of quarter sessions aforesaid.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 814.

*An Act*

Directing the entry of liens for the purchase money and interest due the Commonwealth, for lands held by virtue of locations, or other office titles.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Surveyor general to make out a descriptive list of all unpatented lands, and transmit to prothonotaries.

That it shall be the duty of the surveyor general to make out a list of all lands held by location, or any other office right, issued from the Land Department of this commonwealth, of every kind and description, upon which no patents have issued, designating the county in which such lands are situated, with such other descriptions of the same as the records of his office will enable him to give, including the names in which such locations or other office rights are entered, and surveys have been returned; and on the list being completed, or any part thereof, be transmitted to the prothonotary of the county in which such lands are situated.

Amount of purchase money, interest, fees and costs, due thereon, to be entered in a lien docket.

**SECTION 2.** That it shall be the duty of the surveyor general to calculate the amount of purchase money, interest and fees, due on each unpatented tract; and after the descriptions of said tracts have been transmitted to the prothonotaries of the respective counties, and entered as hereinafter provided, the amounts so found to be due, together with five dollars for the labor and costs of making out and filing, shall form an aggregate sum which shall be entered in a lien docket to be provided and kept for that purpose, and said sum shall bear interest at the rate of six per cent.

Prothonotaries to provide a docket, with index, for recording descriptions

**SECTION 3.** That it shall be the duty of the prothonotary of each county, upon receiving any descriptive list as aforesaid, to provide a suitable docket, with a proper index, for the purpose of recording all such descriptions of unpatented lands, and shall accurately record the same and index the name of the original warrantee or actual original settler, as the case may be, and each subsequent owner so far as ascertained, and preserve the same among the records of the county: *Provided,* That when any party in interest, by petition under oath or affirmation, setting out the facts in the case as in affidavit of defence, shall represent to the president judge of the court of common pleas of the county, in which any tract or piece of land, against which the entry directed in the foregoing section has been made, or the principal part thereof, may lie, that said tract has been patented, either in the name against which the entry is made, or in any other name, the said judge shall, after such notice to the surveyor general as he shall deem proper, proceed to hear the case of the petitioner; and the said judge shall, thereupon, make such decree in the premises, either by directing the said entry to be struck from the record, or such other order as to said entry, and also, as to costs, as may seem equitable.

President judges to hear cases where parties in interest represent, by petition, that the land has been patented.

SECTION 4. That it shall be the duty of the prothonotary of each county, upon receiving from the surveyor general any such list or calculation of amounts due the commonwealth for purchase money, interest and fees, to provide a suitable docket with index, in the form of the lien dockets now in use in the several counties of this commonwealth, to be styled "Lien Docket of Unpatented Lands," and enter therein the amount so found to be due, which sum shall remain a lien upon such tract or tracts, until paid; and that a fee of fifty cents be paid to the prothonotary for each description so entered, and that he be allowed the same fees on the liens entered, as are now allowed on judgments entered by warrant of attorney in the court of common pleas.

Lien docket of unpatented lands to be kept by prothonotaries.

Fees for entries therein, &c.

SECTION 5. That it shall be the duty of the prothonotary, upon receiving any such descriptive list, to cause the same to be published in two newspapers in the county where such lands are located, for three successive weeks, for which publication he shall be authorized to pay fifty cents for each tract, and charge the same as costs on the lien docket, and retain his fees and costs out of any moneys, in his hands, due the commonwealth.

Descriptive list to be published in newspapers of respective counties.

SECTION 6. The amounts, which may be due to the commonwealth on the lands mentioned in the first section of this act, may be paid in accordance with the existing laws in relation to such lands, if the same be paid prior to the first day of November next: *Provided*, That any costs, which may have accrued in accordance with the provisions of this act, shall also be paid, and that the act to graduate lands on which money is due and unpaid to the commonwealth of Pennsylvania, approved April tenth, Anno Domini one thousand eight hundred and thirty-five, be revived and continued in force, until the said first day of November next; and any survey and appraisements, made since the first day of August last, shall have the same validity for the issuing of patents thereon, as if the last mentioned law had been still in full force.

Time for payment of amounts due on unpatented lands. *Provido*.

Certain act revived.

SECTION 7. That all liens due the commonwealth for unpatented lands, after the first day of November, Anno Domini one thousand eight hundred and sixty-four, may be proceeded upon by the attorney general of the commonwealth, in the manner directed to be pursued against defaulting public officers, by the act of April sixteenth, one thousand eight hundred and forty-five, and the supplement thereto.

Attorney General to proceed upon all liens, after the first day of November.

SECTION 8. All persons, in the military and naval service of the United States, shall be allowed one year after the expiration of said service, for the taking out of any patent or patents under the provisions of this act.

Persons in military or naval service, relative to.

SECTION 9. That, hereafter, the patent fee, on town lots not exceeding one-fourth of an acre, shall be one dollar, and on lots not exceeding two acres, five dollars.

Patent fee on town lots fixed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 815.

## A Supplement

To an act to facilitate the passage of coal and coke boats on the Monongahela Improvement, and to incorporate the Marine Transportation Company of Philadelphia, approved the fourteenth day of April, one thousand eight hundred and fifty one.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Penalties for the violation of certain provisions relative to the passage of boats through locks, &c., of the Monongahela Navigation Company.

That the penalty, provided in the first section of the act to which this is a supplement, shall hereafter be, for the first offence, two hundred dollars, and for the second offence, five hundred dollars; and the penalty, provided in the second section of said act, shall also be, for the first offence, two hundred dollars, and for the second, five hundred dollars; such penalties to be recovered in the manner hereinafter provided, from the owner, or owners, or the pilot, or other person, having charge of the coal, or coke boats, by which the provisions of said law may have been broken.

How to be collected and appropriated.

*SECTION 2.* That the penalties hereinbefore provided, for each infraction of the provisions of the first and second sections of the act to which this is a supplement, shall be collected as sums of like amount are now collectable, by law, in the court of common pleas, in the county of Allegheny, from the owner, or owners, of the boats by which the provisions of the first and second sections of said act may have been broken, or from the pilot, or other person, having charge of such boat, or boats; and in all cases of the infraction of said law, at or near the first lock of the said improvement, the penalty, so recovered, shall go to the guardians of the poor of the city of Pittsburg, and in all cases of the infraction of said law, at or near any of the other locks of said improvement, the penalty, so recovered, shall go to the directors of the poor of the county within which such lock is situate; and suits for the recovery of the penalties, provided by this act, shall be brought in the name of the guardians of the poor of the city of Pittsburg, or of the directors of the poor of the proper county, as the case may be.

Authorized to erect and construct piers, at any, or all, of their locks.

*SECTION 3.* That the Monongahela Navigation Company may erect and construct, at any or all of the locks of said company, a pier, or piers, near to the lower end of such lock, or locks, in the Monongahela river, of such length and width as they may deem advisable, with snubbing-posts, or rings, attached thereto, for the anchorage of boats, flats, barges, or other craft, navigating said river, and, also, such pier, or piers, as they may deem necessary, above the locks, for the purpose of mooring, or anchoring, such boats, flats, barges, or other craft, and facilitating their passage through the locks, and may make and enforce such regulations, as to the use of said piers, for the

Purpose of.

purposes aforesaid, as they may find expedient and necessary, and charge, for the use thereof, such rate as the board of managers may fix. Maymake regulations, as to their use.

SECTION 4. That the Monongahela Navigation Company may construct a schute in any, or all, of the dams of their improvement, for the passage of craft, navigating said river, and charge vessels, boats, barges, or other craft, passing over, or through, such schute, or schutes, such rate of toll as the board of managers may fix, not exceeding fifty per centum above the toll chargeable for similar craft passing through the locks. Construction of schutes, in their dams, authorized. May receive tolls for the use thereof.

SECTION 5. That instead of charging poolage and lockage on coal and coke, as now authorized to do, the Monongahela Navigation Company may, hereafter, charge such rates of toll on those articles, as lockage only, as shall not exceed, at each lock, the total amount heretofore charged as lockage and poolage, for that lock and the entire pool above it; and that so much of any act, or acts, of assembly, as may be inconsistent herewith, are hereby repealed. Rates of toll for lockage and poolage, relative to. Repeal.

SECTION 6. That in case of the death, or resignation, of any member of the board of managers of said company, the said board may elect any stockholder of said company, to fill the vacancy thus occurring, until the next annual election. Vacancies in board of managers, how to be filled.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 816.

## An Act

To legalize the ordinances passed by the boroughs of Johnstown, Cone-maugh, Cambria and Millville, in the county of Cambria, for the purpose of raising volunteers, under the late calls of the President of the United States.

WHEREAS, The burgess and town council of the borough of Johnstown, in the county of Cambria, adopted the following ordinance, for the purpose of raising volunteers, under the late calls of the President of the United States: "Be it enacted by the burgess and town council of the borough of Johnstown, and it is hereby enacted by authority of the same, That whereas, under the recent call for troops, made by the President of the United States, the quota of the said borough is Preamble. Recital of the ordinances passed by the several boroughs, respectively.

— men: and whereas, it is desirable to raise the same by volunteering, which may be effected by offering a reasonable bounty: and whereas, it is believed this will be a public benefit, by giving experienced soldiers to the government and relieving the said borough from the draft; therefore,

“SECTION 1. *Be it enacted*, That the burgess of the said borough be authorized to issue bonds, in the usual form, for a sum not exceeding thirty thousand dollars, as may be directed by council, bearing coupons for interest at the rate of six per cent. per annum, payable semi-annually, and receivable for borough taxes; said bonds to be redeemable in ten years; to be disposed of at par, the citizens of Johnstown being preferred as purchasers; no bonds shall be issued of less amount than twenty-five dollars, nor more than one thousand dollars, and the bonds so issued shall not be taxable, except for state purposes.

“SECTION 2. *And be it further enacted*, That the borough treasurer shall have custody of, and shall negotiate, said bonds, first giving additional security for the same, in the sum of twenty thousand dollars; and shall pay, upon warrants drawn in the usual form, a bounty of two hundred dollars, to each and every volunteer mustered into the service of the United States, and credited to the aforesaid quota of the borough of Johnstown, under the late, or any succeeding, calls of the President of the United States, for volunteers.

“SECTION 3. *And be it further enacted*, That for the purpose of providing a fund for the redemption of the aforesaid bonds, the taxables, citizens of the aforesaid borough, shall be classified, assessed and taxed, as follows: 1st. All owners of real estate, or personal property, between the ages of twenty and forty-five years, shall pay, upon the assessed value of all real estate, or personal property, owned by them, an annual tax of not exceeding four mills, and a poll tax of not less than two dollars, nor more than five dollars, each; 2d. All other persons, owning real estate, or personal property, shall pay, upon such real estate, or personal property, owned by them, an annual tax of not exceeding four mills, and a poll tax of not less than one dollar, or more than three dollars, each; 3d. All persons, between the ages of twenty and forty five years, owning no real estate, or personal property, and all single freemen, shall pay, upon their annual income, or salary, a tax of four mills, and a poll tax of not less than two dollars, nor more than five dollars, each; 4th. All other persons shall pay, upon their annual salary, or income, a tax not exceeding three mills, and a poll tax of not less than one dollar, nor more than three dollars, each; 5th. All incorporated companies, now by law subject to taxation, shall pay, upon the assessed value of their real and personal estate, an annual tax of not exceeding four mills.

“SECTION 4. *And be it further enacted*, That whenever it shall appear, from the increased, or diminished, valuation of property, in the said borough, or from any other cause, that the tax heretofore assessed shall realize a greater, or less, sum than is needed to pay the principal and interest of the indebtedness aforesaid, within the time limited, the said rates shall

be proportionally altered, in such way as to accomplish the purpose aforesaid.

"SECTION 5. *And be it further enacted*, That the following persons, and none others, shall be exempted from the payment of taxes imposed by this ordinance: 1st. Privates and non-commissioned officers, in actual service at the time of the assessment and levy of the tax; 2d. Persons who have paid three hundred dollars commutation, or furnished a substitute, for such time as they are thereby themselves exempted from military duty; 3d. The widows and heirs of deceased soldiers and non-commissioned officers; 4th. Privates and non-commissioned officers disabled in the service.

"SECTION 6. *And be it further enacted*, That on, or before, the third Tuesday in April next, and on the third Tuesday in each succeeding October, one citizen shall be appointed by council, to act as assessor under this ordinance, who shall receive such compensation as may be fixed by council; every taxable citizen, liable to pay a tax upon his annual income, or salary, when thereunto required by the said assessor, shall make return, under oath, within ten days' time, of the true amount of his annual income, or salary; upon failure to make such return, it shall be the duty of the assessor to estimate and value the same, adding twenty per cent. as a penalty for non-compliance; any person making a false return, shall be subject to all the pains and penalties of perjury; the said taxes shall be collected and paid into the hands of the borough treasurer, in the same manner as other borough taxes are now made payable by law.

"SECTION 7. *And be it further enacted*, That the council of the said borough shall be a board, to equalize and rectify the assessments under this ordinance, and shall meet, for this purpose, on, or before, the third Tuesday in May next, and on, or before, the third Tuesday in each succeeding November, of which meeting public notice shall be given, and shall exercise such powers, in relation to the subject, as are now vested, by law, in the county board of revision of assessments for state and county purposes.

"SECTION 8. *And be it further enacted*, That all money, arising from taxes imposed by this ordinance, above the sum required to pay the semi-annual interest on the said bonds, shall be invested in such way as to create a sinking fund, for the liquidation of the principal indebtedness, aforesaid, as council may hereafter provide.

"SECTION 9. *And be it further enacted*, That in case of future calls of men, to be drafted from the borough of Johnstown, the council of said borough shall, according to the provisions of this ordinance, borrow such an additional sum of money, as may be required, for the payment of bounties, and expend it in the manner hereinbefore set forth, levying such tax as may be necessary to liquidate such additional indebtedness, and for that purpose shall issue bonds, as hereinbefore provided."

*And whereas*, The borough of Millville, in said county, has adopted a similar ordinance, except that the amount of bonds,

authorized to be issued, shall not exceed twenty thousand dollars:

*And whereas*, The borough of Cambria, in said county, has adopted a similar ordinance, except that the amount of bonds, to be issued, shall not exceed the sum of fifteen thousand dollars:

*And whereas*, The borough of Conemaugh has adopted a similar ordinance, except that the amount of bonds, to be issued, shall not exceed — dollars; therefore,

Ordinances legalized.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the several ordinances, passed by the proper authorities of the boroughs of Johnstown, Conemaugh, Millville and Cambria, in the county of Cambria, for the purpose of raising volunteers, under the late calls of the President of the United States, for seven hundred thousand men, be and the same are hereby legalized, made valid and binding on said boroughs of Johnstown, Conemaugh, Millville and Cambria, as if full legal authority had existed for passing said several ordinances, at the time they were adopted by said borough authorities: *Provided*, That nothing contained in this act shall authorize the authorities of said boroughs to borrow money, in case of future calls for men, to be drafted from said boroughs: *Provided*, That nothing contained in this act shall be taken to authorize the authorities of said boroughs, respectively, to borrow money, for the payment of bounties, under any future call, or calls, for volunteers, or for drafted men, by the President of the United States.

Proviso.

Proviso.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 817.

## An Act

Supplementary to an act to regulate certain election districts, and for other purposes, approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*,



That the regulation of ascents, descents, and water courses, in conformity with the general plan, and survey, as fixed by Henry Haines, Esq., in accordance with the provisions of the thirteenth section of the act to which this is a supplement, be and the same is hereby declared to be and made the true and established grade.

Regulation of ascents, descents and water courses, relative to.

SECTION 2. That should the established grade of any street, lane, or avenue, crossing, or intersecting a railroad, or railway, or any street, occupied by a railroad, or railway, or which may hereafter be so occupied, differ from the grades of said railroad, or railway, as arranged by the board of surveys, to conform, as near as practicable, to the established grades, (which grades, so conformed, shall be the established grades for such street,) it shall be the duty of the board of surveys, and they are hereby authorized and directed, to so change the established grades of such intersecting streets, lanes, or avenues, as to make them either conform to, pass over, or under, such railroad, or railway, as may be found most expedient: *Provided*, That the provisions of this act shall not extend to the Twenty-second ward of the city of Philadelphia.

Board of surveys authorized to change the established grades of streets, lanes, &c., crossing or intersecting railroads.

Not to apply to Twenty-second ward, Philadelphia.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 818.

*An Act*

To require the Lehigh Valley Railroad Company to station a watchman, et cetera.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the Lehigh Valley Railroad Company be and are hereby required to station a watchman, on the line of their railroad, where the said railroad passes Biery's bridge, at the borough of Catasauqua.

Required to station a watchman at Biery's bridge.

SECTION 2. That the said Lehigh Valley Railroad Company be and are hereby required to keep the watchman, as afore-

When to be on duty.

said, on duty, during all hours when trains are running on said railroad.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 819.

## An Act

To incorporate the Muncy Creek Railroad Company.

Commissioners	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Edward Lyon, H. R. Merhling, Robert Taylor, James Taylor, John Frautz, Michael Meylert, Robert Taylor, junior, A. J. Deitrick, Geo. D. Jackson, Joshua Bowman, James Risk, Thomas Wood, Jos Gudykunst, George Bodine, Theodore Little and their associates, or any three of them, are hereby appointed commissioners, to open books, receive subscriptions and organize a company by the name, style and title of the Muncy Creek Railway Company, with power to lay out and construct a railway from Laporte, in Sullivan county, via. Muncy creek, to the Philadelphia and Erie railroad, at or near Muncy station, in Lycoming county.</p>
<p>Title. Authorized to construct rail- way. Route.</p>	<p>SECTION 2. That said company shall have the right to purchase such real estate, and erect such buildings and improvements thereon, and purchase such necessary equipments, as horses, cars and other vehicles and appendages, for the conveyance of passengers and freight, on and over said railway, or railways, as may be deemed necessary and convenient, for the accommodation and purposes of said company.</p>
<p>May purchase real estat erect buildings, &amp;c.</p>	<p>SECTION 3. That the capital stock of said company shall consist of one thousand shares, of fifty dollars each, with the power to increase the same to the number of four thousand shares, whenever the stockholders, at a meeting convened for that purpose, shall deem the same necessary to complete said railway, or railways, and to carry out the full and true intent and meaning of this act.</p>
Capital stock.	<p>SECTION 4. The said company shall elect, or appoint, a president and five directors, and such other officers as shall be deemed necessary, or expedient; and in every election for officers, each share of stock shall entitle the holder to one vote.</p>
<p>Election of offi- cers.</p>	
Votes.	

SECTION 5. The dividends of so much of the profits of said company, as shall appear advisable to the directors, shall be declared annually, and be paid at the office of the company, any time after ten days from the time of declaring the same; said dividends shall, in no case, exceed the amount of the net profits of the company; and if the directors shall make any dividend impairing the capital stock, those consenting thereto shall be liable, in their individual capacities, to said company, for the amount so divided, and each director present, when such dividend shall be declared, shall be considered as consenting thereto, unless he, or they, enter his, or their, written protest on the minutes of the board, and give public notice of the same. Dividends may be declared. Prohibition.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 820.

## A Further Supplement

To an act, entitled "An Act to incorporate the Fairmount Passenger Railroad Company," approved the thirteenth day of April, one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Fairmount Passenger Railroad Company are hereby authorized and empowered to increase the capital stock of said company to twenty thousand shares, of fifty dollars each.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 821.

*An Act*

In relation to the Hestonville, Mantua and Fairmount Passenger Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the provisions of the act, approved the seventeenth day of April, one thousand eight hundred and sixty-three, entitled "An Act to enable the district court, of the city and county of Philadelphia, to quash the writ of sequestration, now existing against the Hestonville, Mantua and Fairmount Passenger Railroad Company," shall be and the same are hereby extended to the Fairmount Passenger Railroad Company, and its creditors, in the district court, supreme court, court of common pleas, or any other court, in which proceedings touching the affairs of said company are now pending, subject to all the provisos contained in said act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 822.

*An Act*

To incorporate the North American Gold Mining Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

Name.

Privileges.

That James Millikin, Leon D. Judd, Samuel Broadbent and Joshua Ash, and their associates, be and they are hereby created a body politic, by the name and title of the North American Gold Mining Company of Philadelphia, and by such name and title, shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded,

and of granting, and of receiving, in its corporate name, property, real, personal and mixed, and of holding and improving lands, in Colorado territory, and to obtain therefrom any and all minerals, and other valuable substances, whether by working, or mining, or leasing, or disposing of privileges to work, or mine, such land, or any part thereof, and to erect houses, and such other buildings and works as may, in the opinion of the managers of the corporation, appertain to said business, and to use, let, lease, or work, the same, and to dispose of the products of all such lands, mines and works, as they may deem proper.

SECTION 2. That the said company shall have power to make such by-laws as they may deem proper, to enable them to carry out the objects of the corporation, and the same to alter, amend, add, or repeal, at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of this commonwealth, or the provisions of this act, and to adopt a common seal, and the same to alter, at pleasure, and to issue certificates of stock, representing the value of their property, in such form, and subject to such regulations, as they may, from time to time, by their by-laws, prescribe, and to regulate and prescribe, in what manner and form, their contracts and obligations shall be executed.

By-laws.

Proviso.

Seal.

Certificates of stock.

SECTION 3. That the corporators, named in this act, shall elect persons to serve as directors of the company, a majority of whom shall constitute a quorum, for the transaction of business, and shall hold their offices until their successors shall have been elected, in accordance with the by-laws.

Corporators to elect directors.

SECTION 4. That it shall be lawful for said company to establish the necessary offices, for the business of the company, wherever their business is located, and to have their principal, in the United States, in such place as they may deem expedient; at which place, it shall be lawful to hold all meetings, for the transaction of the business of the company.

Offices.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 823.

**An Act**

To incorporate the Lake Presbytery of the United Presbyterian church of North America.

Corporators.	<p><b>SECTION 1.</b> <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Thomas Love, Joseph H. Pressly, Thomas J. Kennedy, M. R. Barr, H. H. Hervey, Joseph A. Collins and William M'Lean, and their successors in office, duly elected as herein specified, be and they are hereby constituted and declared, a body politic and corporate, in deed and in law, by the name and style of the trustees of the Lake Presbytery of the United Presbyterian church of North America.</p>
Name.	<p><b>SECTION 2.</b> That the said corporation shall have perpetual succession, and the right to hold lands, tenements, rents, annuities, franchises and other hereditaments, and all personal property which, heretofore, had been conveyed, assigned, transferred, devised and bequeathed, to the ministers and elders composing the Lake Presbytery of the United Presbyterian church of North America, or to any person, or persons, in trust for them : and the same is hereby vested in said corporation, forever, for such use and purposes as said conveyances, assignments, transfers, bequests and devises, were respectively made, or intended; and said corporation is hereby declared to be seized, possessed of such estates and interests, therein, as in and by said conveyances, assignments, transfers, bequests and devises, thereof, is, or are, declared, limited, expressed, or intended ; and further, said corporation shall have all the rights, franchises and powers, which, by law, pertain to corporations ; the right to hold and possess real and personal property, yielding a net annual income, not exceeding twenty thousand dollars, and the same to dispose of at pleasure ; but said limitation not to be construed as including the annual, or periodical, collections and voluntary contributions, made in the churches, under the care of said presbytery, or contributions from any other source : <i>Provided,</i> That in cases where special instructions, for the management and disposal thereof, shall be given by the presbytery in writing, under the hand of the clerk, it shall be the duty of said corporation to act according to such instructions.</p>
Limitation.	<p><b>SECTION 3.</b> That no misnomer, of said corporation, shall defeat, or annul, any gift, grant, devise, or bequest, to, or from, said corporation : <i>Provided,</i> That the intent of such gift, grant, devise, or bequest, shall sufficiently appear that the same was intended to pass to, or from, said corporation.</p>
Misnomer, relative to.	<p><b>SECTION 4.</b> That said corporation shall have power to adopt and use one common seal, and the same to break, alter, amend and renew, at pleasure.</p>
Seal.	

SECTION 5. That said corporation, by the name, style and title, aforesaid, shall be able to sue and be sued, to plead and be impleaded, in any court of law, or equity, or before any alderman, justice of the peace, in all manner of suits, complaints, pleas, matters and demands, of whatever nature, kind, or form, the same may be. May sue and be sued, &c.

SECTION 6. That said corporation shall have power to make and establish by-laws, for the proper administration of the funds, and the due government of said corporation: *Provided*, That said by-laws be not repugnant to the constitution and laws of the United States, or the constitution and laws of this commonwealth. By-laws.  
Proviso.

SECTION 7. That said corporators shall compose the board of trustees of said corporation, for one year from the time of their election; at the expiration of their term of office, seven persons shall be elected, by said presbytery, in regular meeting assembled, to take their places, who shall serve for the same length of time, and in turn be succeeded by an equal number, elected in the same way, and so on, continually: *Provided*, That on failure to elect trustees, as aforesaid, or in case of death, or resignation, or other inability, those remaining in office shall have full power to fill such vacancies, until presbytery, in the manner aforesaid, shall elect such person, or persons, to fill the same. Corporators to act as trustees, until election.  
Election.  
Vacancies.

SECTION 8. That four members of this corporation shall constitute a quorum, and be a sufficient number to transact the business of said corporation, to make by-laws, rules and regulations; whose regular meetings shall be held annually, or at such time, or times, as the presbytery may direct: *Provided*, That previous to any special meeting of said corporation, not appointed by adjournment, it shall be the duty of the officers, calling the meeting, to notify, by mail, or otherwise, each member, at least ten days prior to each meeting; and said corporation, as often as shall be prescribed by the by-laws, elect, from said board of trustees, a president, secretary, treasurer, and other officer, or officers. Quorum.  
Regular meetings.  
Notice of special meetings to be given.  
Officers.

SECTION 9. That all questions before said corporation shall be decided by a majority of the trustees present; and said corporation shall keep regular and fair entries of their proceedings, and a just account of their receipts and disbursements, in a book, or books, kept for that purpose, and shall make an annual report, to the presbytery, of the same, or oftener, as the presbytery so require. Entries of proceedings, and accounts of receipts, &c., to be kept.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 824.

**An Act**

To incorporate the Jefferson and Elk Coal Company.

	<i>SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i>
Corporators.	That R. H. Moore, David Lawson, James C. Brown, John P. Vincent, James C. Galbraith, S. B. Benson and Henry Souther, their associates and assigns, be and they are hereby constituted a body politic and corporate, to have perpetual succession,
Title.	by the name, style and title of the Jefferson and Elk Coal Company, in the counties of Jefferson and Elk, the capital stock to
Capital stock.	consist of four thousand shares of fifty dollars each, with the right to said company to increase the same to twenty thousand shares ; and the said company shall enjoy all the rights and
Privileges.	privileges which were authorized to be enjoyed by the North Western Coal and Iron Company, by an act of assembly, approved April nineteenth, one thousand eight hundred and fifty-seven, and the supplements thereto; and the said company
Bonus.	shall pay to the commonwealth a bonus of one-half of one per centum on its capital stock, and upon any increase thereof, payable in four equal annual payments, the first of which shall
Taxation.	be made in one year after the passage of this act ; and also, to pay all other taxes that are, or shall be, imposed on such corporations.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 825.

**A Further Supplement**

To an act incorporating the Bethlehem Iron Company, approved April seventh, one thousand eight hundred and fifty-seven, under title of the Saucona Iron Company.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*



That the Bethlehem Iron company may, by a vote of its stockholders, increase the capital stock of the said company to such amount as may be deemed necessary, not exceeding one million of dollars; this corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized, or hereafter created, in four equal annual instalments, and such taxes on dividends as is, or may be, provided by law; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers, employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected, as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Iron and Coal Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

Authorized to  
increase capital  
stock.

Bonus.

Taxes on divi-  
dends.

Individual lia-  
bility.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 826.

## An Act

To incorporate the People's Mutual Life Insurance Company of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John B. Myers, Alexander Henry, John Welsh, George Whitney, George H. Stuart, Barton H. Jenks, Joseph Harrison, junior, Richard Garsed, James L. Claghorn, William Sellers, James C. Hand, John Rice, Edward C. Knight, Samuel S. White, J. B. Lippincott, Joseph C. Grubb, Charles Marge, Thomas R. Tunis, Philip S. Justice, Isaac Starr, junior, Amos Briggs, James H. Orne, Joseph C. Allison, Alexander G. Cattell, W. B. Buck, A. Horton, James S. Martin, R. Cornelius, Coates Walton, F. G. Smith, T. L. Gillespie, George Zigler, W. H. Carr, George H. Lugin, John Bell, Charles E. Wilkins, Joseph Campion, Jay Cooke, E. W. Clarke, William F. Smith, A. E. Smith, and all other persons who may hereafter associate with them, in the manner hereinafter prescribed, shall be a body politic and corporate, by the name, style and Title.

Corporators.

Seal.	title of the People's Mutual Life Insurance Company, of Pennsylvania, and by that name, shall be able and capable, in law, to have and use a common seal, to sue and be sued, to plead and be impleaded, and to do all such other things as are incident to a corporation, and as may be hereinafter prescribed.
Powers and privileges.	SECTION 2. The corporation, hereby created, shall have perpetual succession, and the power to insure their respective lives, and to make all and every insurance appertaining to, or connected with, life risks, and to grant and purchase annuities; the real estate, which it shall be lawful for the said corporation to purchase, hold and convey, shall be: First, such as shall be requisite for its immediate accommodation, in the convenient transaction of its business; or, second, such as shall have been mortgaged to it, in good faith, by way of security for loans previously contracted, or for moneys due; or, third, such as shall have been conveyed to it, in satisfaction of debts previously contracted, in the course of its dealings; or, fourth, such as shall have been purchased at sales, upon judgments, decrees, or mortgages, obtained, or made, for such debts; the said corporation shall not purchase, hold, or convey real estate in any other case, or for any other purpose; and all such real estate as shall not be necessary for the accommodation of the said company, in the convenient transaction of its business, shall be sold and disposed of, within six years after the said company shall have acquired title to the same, and it shall not be lawful for the said company to hold such real estate, for a longer period than that above mentioned.
Real estate which may be purchased, held and conveyed.	
Prohibition.	SECTION 3. All persons who shall, hereafter, insure with the said corporation, and, also, their heirs, executors, administrators and assigns, continuing to be insured in said corporation, as hereinafter provided, shall thereby become members thereof, during the period they shall remain insured by said corporation, and no longer.
Persons insuring, their heirs, &c., to become members of corporation.	
Corporate powers to be exercised by a board of trustees.	SECTION 4. All the corporate powers of the said company shall be exercised by a board of trustees, and such officers and agents as they may appoint; the board of trustees shall consist of thirty-six persons, all of whom must be citizens of this state; they shall elect a president, annually, who shall be a member of this corporation, and they shall have power to declare, by by-law, what number of trustees, less than a majority of the whole, but not less than seven, shall be a quorum for the transaction of business.
Election of president.	
Quorum.	SECTION 5. The persons named in the first section of this act shall constitute the first board of trustees.
Corporators to constitute first board.	SECTION 6. The trustees shall, at their first meeting, divide themselves, by lot, into four classes, of nine each; the term of the first class shall expire at the end of one year, the term of the second class shall expire at the end of two years, the term of the third class shall expire at the end of three years, the term of the fourth class shall expire at the end of four years, and so on, successively, each and every year; the seats of these classes shall be supplied by the members of this corporation, a plurality of votes constituting a choice, but an insurance of at least one thousand dollars in amount shall be necessary to entitle any member to a vote; this section shall
Classification of trustees.	
Votes.	

not be construed to prevent a trustee, going out, from being eligible to a re-election, but no member, except the president, shall be a trustee for more than five consecutive years; the board of trustees may fill any vacancies in their number, occasioned by death, resignation, or removal from the state; the election of the trustees shall be held on the first Monday in June, in each year, at such place, in the city of Philadelphia, as the board of trustees shall designate, of which they shall give at least fourteen days' previous notice, in two of the public newspapers printed in the said city, and, also, send a printed notice to each member of the same residing in the United States, outside of Philadelphia; and the board of trustees shall, at the same time, appoint three members of the said corporation inspectors, to preside at such election; and if any of the said inspectors decline, or fail to attend, the trustees shall appoint others to fill such vacancies.

Re-election of trustees, relative to.

Vacancies.

Election, time and place of holding.

Notice.

Inspectors to be appointed.

SECTION 7. Every person who shall become a member of this corporation, by effecting insurance therein, shall, the first time he effects insurance, and before he receives his policy, pay the rates that shall be fixed upon, and determined, by the trustees; and no premium, so paid, shall ever be withdrawn from said company, except as hereinafter provided, but shall be liable to all the losses and expenses, incurred by this company, during the continuance of its charter.

Payments of premium, &c., relative to.

SECTION 8. The trustees may determine the rates of insurance and the sum to be insured.

Trustees to fix rate of insurance, &c.

SECTION 9. It shall be lawful for the said corporation to invest the said premiums in the securities, designated in the two following sections, and to sell, transfer and change, the same, and re-invest the funds of said corporation, when the trustees shall deem expedient.

Authorized to invest the premiums, sell and transfer the same, &c.

SECTION 10. The whole of the premiums received for insurance, by said corporation, except as provided for in the following sections, shall be invested in bonds and mortgages, on unincumbered real estate, within the state of Pennsylvania; the real property, to secure such investment of capital, shall, in every case, be worth twice the amount loaned thereon.

Investments in bonds and mortgages on real estate.

SECTION 11. The trustees shall have power to invest a certain portion of the premiums received, not to exceed one-half thereof, in the public stocks of the United States, or of this state, or of the city of Philadelphia.

May invest portion of premiums in public stocks.

SECTION 12. Suits at law may be maintained, by said corporation, against any of its members, for any cause relating to the business of said corporation; also, suits at law may be prosecuted and maintained, by any member, against said corporation, for losses by death, if the payment is withheld more than three months after the company is duly notified of such losses, and the death of the party determined; and no member of the corporation shall be debarred his testimony, as a witness, in any such cause, on account of his being a member of said company, and no member of the corporation, not being, in his individual capacity, a party to such a suit, shall be incompetent as a witness, in any such cause, on account of his being a member of said company.

Suits at law, relative to.

Dividends,  
when and how  
to be paid.

SECTION 13. The officers of said company, at the expiration of five years from the time that the first policy shall have been issued, and bear date, and within sixty days thereafter, and during the first sixty days of every subsequent period of five years, shall cause a balance to be struck, of the affairs of the company, and shall credit each member with an equitable share of the profits, of the said company, in cash, which may be applied, at the option of the insurer, either to a reduction of the premium, or in purchasing additional insurance, after the dividend is declared, and the proportion, which shall be found to belong to him, at the time of his death, shall, at the next striking of balance, be paid when the same shall be ascertained and declared; any member of the company, who would be entitled to share in the profits, who shall have omitted to pay any premium, or any periodical payment, due the company, may be prohibited, by the trustees, from sharing in the profits of the company, and all such person's payments shall go to the benefit of the company: but if he shall have paid two, or more, annual premiums, and wishes to discontinue, he shall, upon written application, made within three months from the time the premium was due, and unpaid, receive an equitable amount, in cash, or a policy, for the value of the amount paid, in accordance with the well established calculations which are determined by the science of life insurance; no member, except officers and agents thereof, shall be personally liable for the losses of the company, and such officers and agents, severally, shall only be liable for the losses arising by reason of their own respective neglect, or misconduct.

Insurers, wishing to discontinue payments of premiums, to make written application.

Liability of officers and agents, relative to.

A statement of the affairs of the company to be made, at expiration of every five years.

Subject to examination of members.

What to contain.

To transmit, annually, to the auditor general a statement, and publish the same.

SECTION 14. On some day, in the first thirty days after the expiration of the first five years, from the time when said company shall issue their first policy, and within the first thirty days of every subsequent five years, the officers of said company shall cause to be made a general balance statement of the affairs of the said company, which shall be entered in a book, prepared for that purpose, which shall be subject to the examination of any member of the company, during the usual hours of business, for the term of thirty days thereafter; such statement shall contain, first, the amount of premiums received, during the said period; second, the amount of losses incurred, during the said period; third, the amount of expenses of the said company, during the said period; fourth, the balance remaining with the said company; fifth, the nature of the security in which the same is invested, or loaned, and the amount of cash on hand; sixth, the deterioration in the value of the risks that remain in force, the amount required to insure payment of each and every loss as it occurs, and the balance applicable to the dividend; the said company shall, also, make and transmit, to the auditor general of the state, on the first day of January, in each year, a full statement of its affairs, and publish the same in one or more newspapers, in the city of Philadelphia; the books of the company shall be open to the examination of any members thereof, during the usual business hours.

SECTION 15. The operations and business of the corporation

shall be carried on, at such place, in the city of Philadelphia, as the trustees shall direct. Location of office.

SECTION 16. No policy shall be issued by said company, until applications shall be made for insurance, in the aggregate, for five hundred thousand dollars, at least, or until one hundred thousand dollars, in bonds of the United States, the state of Pennsylvania, or the city of Philadelphia, shall have been deposited with the said company, to remain for the guarantee and protection of the insured members, until the cash received and in hand shall exceed one hundred thousand dollars; for this guarantee of one hundred thousand dollars, the parties shall be entitled to receive two and one-half per centum, and the interest upon the bonds deposited, until the assets amount to one hundred thousand dollars, and no longer. When policies to be issued.

SECTION 17. No security shall be required, from any officer of this company, for the faithful performance of his duty; but for any breach of trust, or misapplication of the funds of said company, the penalty shall be imprisonment in the penitentiary, for not less than one, nor more than ten years, and a fine of not less than one thousand dollars, payable before being discharged. No security required from officers. Penalty for breach of trust, &c.

SECTION 18. The legislature may, at any time, alter, or repeal, this act. Reservation.

SECTION 19. This act shall take effect immediately.

To take effect immediately.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 827.

## An Act

To incorporate the Saint Mary's Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William H. Armstrong, Fletcher Coleman, Clinton Lloyd, James Armstrong, Hepburn M'Clure, John B. Coryell, Elias S. Lowe, John Gibson, William M. Lloyd, Nathaniel Burrows, George Bubb, Maxwell K. Morehead, A. O. Hiester, Stephen H. Brooke, Samuel Jones, A. Phillips, Frederick Lovejoy, Thomas Lyon, Edward Lyon and James B. Montgomery, their

Name.	associates, successors and assigns, shall be and they are hereby constituted a body politic and corporate, by the name, style and title, of the Saint Mary's Coal Company, for the mining of coal at, or near, Saint Mary's, in the county of Elk, in the state of Pennsylvania; and by said name, style and title, shall
Seal.	have succession, and a common seal, with power to alter the same at pleasure; and shall have power to sue and be sued, plead and be impleaded, in any court of this commonwealth, or elsewhere; and to appoint all necessary agents and assistants, and may have all the rights and powers necessary to carry on, manage and develop their business, as a coal company, in the mining and preparing of coal, and fitting it for and transporting it to market, in all the various ways they may deem desirable, and to open mines, sink shafts, erect machinery, and to make and maintain roads and drains, for carrying off water from the mines, and also lateral railroads, not exceeding five miles in length, to connect with any other railroads, and generally to mine, make, vend, transport, sell and dispose of, all such coal, lumber, materials and articles, as they may deem proper, or necessary, in the prosecution of their business; and, for that purpose, shall have power to purchase and hold, in fee simple, or under lease, or otherwise, not exceeding three thousand acres of land, and to purchase and hold all such personal and other property, as may be necessary, or convenient, for the prosecution of their business; and may carry on their business, or so much thereof as may be convenient, beyond the limits of this commonwealth, and may there hold any real, or personal, estate, necessary, or convenient, for conducting the same; and to sell and dispose of property, real, or personal, or any part thereof, of said company, in fee simple, or lease the same for a term of years.
Powers and privileges.	
Lateral railroads.	
Real estate.	
Subscriptions to stock, relative to.	SECTION 2. That a majority of the corporators, herein named, may proceed to open books, for subscription to the capital stock of said company, at such time and place as they may designate, giving not less than ten days' notice, to the said corporators; and when one thousand shares of stock are subscribed
First election of directors, when to be held.	for, and fully paid in money, or in property, as herein provided by the said corporators, named in this act, they, or a majority of them, shall call a meeting of the stockholders, for holding the first election of directors of said company, giving not less
Notice.	than ten days' notice, of the time and place of holding said election; and when said election is made, this act shall take full effect; each share of stock shall be entitled to one vote, and stockholders may vote in person, or by proxy, authorized in writing; but no proxy shall be valid, unless executed and dated, within six months previous to the meeting at which it is used, if the maker thereof resides in the United States.
Votes.	
Proxies.	
Capital stock.	SECTION 3. That the capital stock, of the said coal company, shall be fifty thousand dollars, to be divided into shares of fifty dollars each, with the right and power, in said company, to increase its capital stock, from time to time, as a majority of its stockholders may elect, to any sum not exceeding three hundred thousand dollars; the subscription to the capital stock may be made payable in money, or in real, or personal, property, appropriate to the business of the company, at a fair
Subscriptions, how payable.	

valuation, to be fixed upon by a majority, in interest, of the stockholders, at the time of such subscription; and such subscription may be made by the corporators, herein named, according to their several interests, in any real, or personal, estate, now held by said corporators, or by any person in trust for them, for the purposes contemplated in this act; but no corporator shall be permitted to subscribe for a larger number of the shares of the capital stock, of said company, than the *pro rata* interest in said real, or personal, estate may entitle him to.

SECTION 4. That the affairs of said company shall be managed and conducted by a board of five directors, elected, from time to time, by the stockholders, at an annual meeting, to be held at the office of said company, at Williamsport, in the county of Lycoming, on the second Tuesday of January, in each year; said board of directors shall be stockholders, and shall be elected annually, after the first election, as hereinbefore provided for, and shall hold their office for one year, and until their successors are elected; but any failure, or omission, to elect such directors annually, shall in no wise impair, or affect, meanwhile, the rights and powers of those holding over, or the rights and interests of said company, in any way; said board of directors shall elect a president, from one of their number, and shall appoint a treasurer and secretary, who shall be stockholders, and such other officers and agents as they may deem necessary, to manage the affairs of the company, and shall fill all vacancies occurring in their own body, until the next succeeding election by the stockholders; and a majority of said board shall form a quorum for the transaction of business; they shall have power to make by-laws for the regulation of the affairs of the company, subject to the revision and approval of the stockholders, and not inconsistent with the laws of this commonwealth.

Management.

Annual meeting of stockholders.

Directors, election of.

Failure to elect not to impair rights of company.

Officers.

Vacancies.

Quorum.

By-laws.

SECTION 5. If the directors shall declare any dividend, when the said company is insolvent, or the payment of which would render it insolvent, they shall be jointly and severally liable for all the debts of the company, then existing, and for all thereafter contracted, so long as they respectively continue in office: *Provided*, That the amount, for which they shall be liable, shall not exceed the amount of such dividend; and if any of the directors are absent, at the time of making the dividend, or object thereto, at said time, and file their objections, in writing, with the clerk of the company, they shall be exempted from such liability.

Dividends, relative to.

Proviso.

SECTION 6. That said company may borrow money and create indebtedness, in such way and manner as the board of directors may deem necessary for the prosecution and management of the business of the same, and issue the securities of said company therefor, in such form and manner, and payable in such place, as they may deem proper, at a rate of interest not exceeding seven per centum per annum, and dispose of such securities, to the best advantage, in such manner, and at such places, as such board may direct: *Provided*, That the indebtedness of the company, for money borrowed, shall not, at any time, exceed ten thousand dollars: *And pro-*

May borrow money and issue securities therefor.

Limitation.

- Prohibition.** *vided*, That the directors shall not have power to mortgage, or encumber, the real estate, or franchise, of the said company, for money borrowed, as aforesaid.
- Bonus.** SECTION 7. That this corporation shall pay, into the treasury of the commonwealth, a bonus of one-half of one per centum on the capital stock hereby authorized, or hereafter created, in four equal, annual, instalments, and such taxes on dividends as are, or may be, provided by law; and the stockholders, of said company, shall be individually liable for all debts due mechanics, workmen and laborers, employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected, as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, one thousand eight hundred and fifty-three.
- Tax on dividends.**
- Individual Liability.**

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 828.

## An Act

To incorporate the Spring Mountain Coal Company.

- Corporators.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jason L. Fennimore, Theodore F. Randolph, Peter S. Michler, Francis Michler, Thomas D. Conyngham, Edgar F. Randolph, William Milnes and Abraham Stout, and their associates and successors, be and they are hereby incorporated and made a body politic and corporate, in fact and in name, by the name of the Spring Mountain Coal Company, and by that name, shall have perpetual succession, and be capable, in law, of holding and conveying such real and personal property, as may be necessary for the objects of this incorporation, in Luzerne and Carbon counties; may sue and be sued, plead and be impleaded, in all courts of law and equity, and may have a common seal, which they shall have power to alter and renew at pleasure.
- Name.**
- Privileges.**
- Seal.**
- Capital stock.** SECTION 2. That the capital stock of said company shall be twelve hundred and fifty thousand dollars, divided into shares



of one hundred dollars each, with the privilege to increase the same, from time to time, to an amount not exceeding two millions and a half of dollars; said increase, and all transfer of stocks, to be made at such times, and in such manner, as the by-laws of said company may prescribe. Transfers.

SECTION 3. That the said company shall have and enjoy all the rights, privileges and franchises, and shall be subject to all the restrictions, limitations and liabilities, of an act incorporating the Powelton Coal and Iron Company, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, and the several supplements thereto, having the right to hold the same amount of land, in Luzerne and Carbon counties: *Provided*, That this corporation shall pay, into the state treasury, a bonus of one-half of one per cent. upon their capital stock, in four equal, annual, instalments, and all other taxes which are now, or may hereafter be, imposed upon them. Rights.  
Subject to.  
Bonus.  
Taxes.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-first day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 829.

## An Act

For the dissolution and settlement of the affairs of the Wetherill Zinc Company.

WHEREAS, The Wetherill Zinc Company, a corporation incorporated under the general laws of this commonwealth, in regard to manufacturing corporations, by certificate, recorded in the county of Northampton, in book of miscellanies, number eleven, page twenty-two, has, by an agreement, dated the eighteenth day of January, Anno Domini one thousand eight hundred and sixty-four, contracted to sell, to the Lehigh Zinc Company, all the real and personal estate of the said Wetherill Zinc Company, of whatever nature, including all patent rights, licenses, privileges and processes of manufacture, possessed, or used by, or belonging to, the said Wetherill Zinc Company, in any wise howsoever, for a price, or sum, named by appraisers, mutually chosen, to be paid in cash; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That upon the completion of the said contract between the said Wetherill Zinc Company and the said Lehigh Zinc Company, by the payment of the agreed price, and the execution of the necessary conveyances and assurances in the law, it shall be lawful for the said Wetherill Zinc Company to apply to the court of common pleas, for the county of Northampton aforesaid, for the dissolution of the corporation, according to the provisions of the act of the general assembly of the commonwealth, entitled "A supplement to the acts relating to incorporations by the courts of common pleas," approved the ninth day of April, one thousand eight hundred and fifty-six : *Provided*, That before any such decree of dissolution, it shall be made to appear, to the satisfaction of the said court, that the said price, so agreed upon, is sufficient to pay and discharge all the existing debts of the said Wetherill Zinc Company : *And provided*, That the said Wetherill Zinc Company shall adjust and pay any claims that the commonwealth of Pennsylvania may have against them, for any bonus, or taxes, that may be due and payable by them, the same as though an act of the general assembly of this commonwealth, entitled "A supplement to the charter of incorporation of the Wetherill Zinc Company," approved May first, one thousand eight hundred and sixty-one, had never been passed, and which said act be and the same is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirtieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 830.

## A Further Supplement

To an act to enable joint tenants, tenants in common and adjoining owners of mineral lands in this commonwealth, to manage and develop the same, approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That it shall be lawful for any company, duly incorporated, under the provisions of an act to enable joint tenants, tenants in common and adjoining owners of mineral lands in this commonwealth, to manage and develop the same, approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-four, and of the several supplements thereto, to acquire, hold and convey, for the purposes therein mentioned, other real and personal estate than that described in its certificate of association: *Provided*, The land, so held, shall not exceed the quantity limited in said act, or the supplements thereto.

Companies incorporated, under provisions of certain acts, authorized to hold property in addition to that described in certificate. Limitation.

SECTION 2. That the act to which this is a supplement, and the several supplements thereto, be and the same are hereby extended to the county of Northumberland; and that all laws, or parts of laws, inconsistent herewith, be and the same are hereby repealed.

Provisions of certain acts extended to Northumberland county.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourth day of June, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 831.

## A Supplement

To an act incorporating the Columbia Oil Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the capital stock of the Columbia Oil Company, incorporated by an act of the general assembly, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, is hereby increased to the sum of two millions five hundred thousand dollars, which shall be divided into shares of fifty dollars each; and the said company shall pay, into the state treasury, a bonus of one-half of one per cent. on the increased capital stock, hereby authorized, in four equal, annual, instalments, the first of which instalments shall be paid, within one year from the passage of this act.

Authorized to increase capital stock.

Bonus to state.

SECTION 2. That the said company are hereby authorized to acquire and hold any additional quantity of land, in the whole

May hold an additional quantity of land.

not exceeding one thousand acres, as is provided for, in the first section of the act to which this is a supplement.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of June, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 832.

## An Act

To incorporate the Wilkesbarre Coal and Iron Company.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That Franklin F. Randolph, Frederick A. Lane, Edward A. Quintard, William L. Conyngham, Charles Parrish, Edward P. Darling and Washington Lee, junior, and such other persons as shall be associated with them, their successors and assigns, be and they are hereby erected into a body politic and corporate, in deed and in law, by the name, style and title of the Wilkesbarre Coal and Iron Company, with all the powers and privileges incident thereto, and by law pertaining to a body politic and corporate, with a capital stock of one million five hundred thousand dollars, with power to increase the same to three millions of dollars, to be divided into shares of one hundred dollars each.
- SECTION 2.** That the affairs of said company shall be managed by a board of seven directors, one of whom shall be president, who shall be chosen by said directors; the first election shall be held, within six months after this act takes effect, of which election two weeks' public notice shall be given, in one or more newspapers published in the county of Luzerne, and subsequent elections shall be held, at such time and place, annually, as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every share of stock, subscribed and paid in, shall entitle the holder to one vote.
- SECTION 3.** That the said corporation shall have authority to hold and use a common seal, and by the name, style and title aforesaid, shall be capable, in law, to sue and be sued, before
- Corporators.**
- Title.**
- Privileges.**
- Capital stock.**
- Management.**
- First election of directors, when to be held.**
- Notice.**
- Votes.**
- Seal.**

any court, or justice of the peace, in this commonwealth, and may do and make all needful rules, regulations and by-laws, for the well ordering of the business and affairs of the corporation, so that the same shall in no wise conflict with, or be contrary to, the laws and constitution of this commonwealth, or of the United States.

SECTION 4. That the said corporation, by the name aforesaid, may purchase and hold coal lands, in the county of Luzerne, not exceeding, at any one time, three thousand acres, with power to sell, mortgage, lease, or otherwise dispose of, the same, or any part thereof; and the capital of said company may be employed in mining, transporting to market and vending, coal and other minerals, the product of their lands; in manufacturing iron, and transporting to market and vending the same; in mining and purchasing and transporting iron ore and limestone; in the erection of buildings and machinery for mining and manufacturing purposes, and such other objects as may be considered necessary in the prosecution of said business; but nothing, herein contained, shall be construed to authorize said company to exercise banking privileges.

Authorized to hold coal lands, &c.

How capital to be employed.

Prohibition.

SECTION 5. That an annual report shall be made, to the auditor general of the commonwealth, verified by the oath, or affirmation, of the president, secretary, or treasurer, of said company, showing the amount of capital stock paid in, and the number and amount of dividends declared and paid, during the current year.

Annual report to be made to the auditor general.

SECTION 6. That the said corporation shall pay, to the state treasurer, for the use of the commonwealth, one-half of one per centum upon the amount of the capital stock subscribed and paid in, payable in four equal, annual, payments, after the issuing of letters patent, and shall pay such tax, on dividends, as now is, or may hereafter be, imposed by law.

Bonus.

Tax on dividends.

SECTION 7. That subscriptions to the stock may be paid, in part, or in whole, in real estate, at a *bona fide* cash valuation, to be agreed upon by a majority, in interest, of the subscribers and stockholders.

Subscriptions to stock, how payable.

SECTION 8. That the said corporation shall have the right to make lateral railroads, from their lands to any canal, or railroad, in the county of Luzerne: *Provided*, That no such railroad shall exceed five miles in length.

May make lateral railroads.

SECTION 9. That the stockholders of said company shall be jointly and severally liable, in their individual capacities and estates, for the wages of laborers and miners, employed by the said company, for provisions, country produce and materials of every kind furnished, to be sued for and collected agreeably to the provisions of an act, entitled "An Act to encourage manufacturing operations in this commonwealth," approved the seventh day of April, Anno Domini one thousand eight hundred and forty-nine.

Individual liability.

SECTION 10. That this act shall not take effect, until three thousand shares shall have been subscribed and paid in, of which a statement, containing the names of the subscribers, and the amount subscribed by each, verified by the oath, or affirmation, of some one of the subscribers, shall be furnished to the governor, to be filed in the office of the secretary of the

When this act to take effect.

Letters patent. commonwealth; whereupon, the governor shall issue letters patent to the corporators.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighth day of June, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 833.

## An Act

To incorporate the Black Diamond Coal and Iron Company.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

Corporators.	That Archibald M'Intyre, Abraham Wolf, Jesse S. Heston, Joseph B. Van Dusen and George W. Grove, their associates, successors and assigns, be and they are hereby incorporated
Title.	and made a body politic and corporate, by the name, style
Capital stock.	and title of the Black Diamond Coal and Iron Company, with a capital stock of six hundred thousand dollars, with power to increase the same, whenever a majority of the stockholders may determine, to an amount not exceeding one million of dollars; and by that name, shall have perpetual succession
Powers and privileges.	and be capable, in law, of receiving, holding and conveying such real and personal property, as may be necessary for the object of this corporation; may sue and be sued, plead and be impleaded in all courts of law and equity, and may have a common seal, which they shall have power to alter and renew at pleasure, and may receive, execute and deliver all such instruments of writing, and do such acts and things, necessary to promote the objects, interests and designs of said company, as authorized by this act; namely, from time to time, to open and mine the coal and other minerals, in the lands belonging to the said company, in the county of Northumberland, sell, dispose of the same, or to make lease, or leases, for mining and selling the same, to make and construct railroads, not exceeding ten miles in length, upon the lands of the said company; and the said company shall have the right to enter upon and pass over adjacent or adjoining lands, in the construction of said roads, and charge tolls thereon, and generally to do and perform all things pertaining to the leasing, mining, preparing for, and the selling and disposing of, the minerals found on said lands,

with full power, also, to sell, or mortgage, the said lands, with the improvements thereon, or any part thereof, and to make purchases of any other tract, or tracts, in the county of Northumberland.

SECTION 2. That the lands to be conveyed to the said company, in fee simple, by the parties owning the same, shall form a common stock, and be divided into a convenient number of shares, and apportioned by the said company among the subscribers, according to their respective interests, for which certificates of stock shall be issued, and be assignable and transferable in such way and subject to such conditions, as the said company may, from time to time, prescribe; and the said shares of stock, so created, shall, for all legal purposes whatever, be deemed and treated as personal estate; and the said corporation may, whenever it is deemed necessary, or expedient, with the consent of the holders of a majority of the shares of the said stock, levy and collect assessments, and forfeit and sell delinquent shares, in such manner as the by-laws may direct: *Provided*, That the quantity of land, which shall be held by the said company, at any one time, shall not exceed three thousand acres.

Lands conveyed to company to form a common stock, to be divided into shares, &c.  
Certificates of stock transferable.  
Assessments may be collected and shares forfeited.  
Quantity of land.

SECTION 3. That the stockholders shall meet as soon as practicable after the passage of this act, notice of the time and place, of such meeting, having been first given, by advertisements in one newspaper, published in the county of Northumberland, and in one daily paper, published in the city of Philadelphia, and annually thereafter, at such time and place as shall be fixed upon; and shall then and there proceed to elect, by ballot, not less than three, nor more than seven, directors, to serve for the term of one year, and until others are chosen in their places; and said election shall be made by such of the stockholders, of the said company, as shall attend for that purpose, either in person, or by proxy, each share of stock to entitle the holder thereof to one vote; the directors, so chosen, shall elect one of their number to be president of the board of directors of said company.

Meeting of stockholders.  
Notice.  
Election of directors.  
Votes.  
President.

SECTION 4. That the directors shall have full power to make by-laws, and to appoint such officers and agents as they shall deem expedient, for the well conducting and transacting of the business of the company, to declare and provide for the payment of dividends to the stockholders, and in general, to superintend the business and concerns of the company: *Provided*, Such by-laws shall not be repugnant to the constitution and laws of the state, or of the United States: *And provided*, That this act shall not be construed to confer upon the said company banking privileges.

By-laws.  
Officers and agents.  
Dividends.  
Proviso.  
Prohibition.

SECTION 5. That the said company shall pay, into the treasury of the state, one-half of one per cent., upon the capital stock hereby authorized, in four equal, annual, instalments, the first of which instalments shall be paid, within one year from the date of the organization of the company; and the stockholders of said company shall be individually liable, jointly and severally, for debts due mechanics, workmen and laborers, employed by said company, and for materials furnished said company, to be sued for and collected, as is pro-

Bonus.  
Individual liability.

- vided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty three: *Provided*, That no stockholder shall be held individually liable for any such debts, unless the same shall be sued for, within one year after they shall become due: *And provided further*, That executors, administrators, guardians, and all other trustees, who may hold stock in their representative capacity, shall be entitled to represent the same, without being subject to any personal liability therefor, or on account thereof; and that persons, holding stock, pledged by the owners thereof, as collateral security, shall not be held personally subject to any liability as stockholders, and shall not be entitled to represent said stock, at the meetings of stockholders; but that the owners, thereof, shall be entitled to such representation, as fully as though no such pledge had been given: *And provided further*, That the legislature hereby reserves the right to amend, alter, or repeal, this act, at any time; in such manner, however, as shall do no injustice to the stockholders.
- SECTION 6. That the privileges, hereby granted, shall not be enjoyed for a period longer than twenty years, unless extended or renewed by act of assembly.
- Proviso.
- Executors, administrators, &c., relative to.
- Reservation.
- Limitation.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPRVED—The fifteenth day of June, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 834.

## An Act

To incorporate the Newport Coal Company.

- SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Hendrick B. Wright, George P. Steel, Lazarus D. Shoemaker, Edward Dolph, Daniel Rombach, John B. Smith, John Vandermark and Andrew Sorber, and their associates, successors and assigns, and all such persons and parties, companies or corporations, as shall become stockholders in the company hereby incorporated, shall be and they are hereby constituted a body politic and corporation, by the name and style of
- Corporators.



the Newport Coal Company, and by said name and style and title, shall have succession, and a common seal, with power to alter the same at pleasure, and shall have power to sue and be sued, plead and be impleaded, in any court of this commonwealth, or elsewhere, and to appoint all necessary agents and assistants, and may have all the rights and power necessary to carry on, manage and develop their business, in mining and preparing of coal, in all the various ways desirable, and to open mines, sink shafts, erect machinery, to make mine roads, also, lateral railroads, to connect with other railroads in Luzerne county, none of which shall exceed ten miles in length, and to buy, sell and dispose of coal, as they may deem proper, or necessary, in the prosecution of their business, and for that purpose, shall have power to purchase and hold, in fee simple, under lease, or otherwise, any number of acres of land, not exceeding two thousand, in the townships of Newport, Hanover, Wilkesbarre, Plains and Pittston, and to purchase and hold all such personal and other property as may be necessary, or convenient, for the prosecution of their business, and to sell and dispose of the property, real and personal, of the said company.

SECTION 2. That a majority of the corporators, herein named, may proceed to open books, for subscription to the capital stock of said company, at Wilkesbarre; and when two hundred shares of stock are subscribed for and fully paid, in money or property, as herein provided, the corporators named in this act, or a majority of them, shall call a meeting of the stockholders, for holding the first election of directors of said company, and when said election is made, this act shall take full effect; each share of stock to be entitled to one vote, and stockholders may vote in person or by proxy.

SECTION 3. That the capital stock of the said Newport Coal Company shall be five hundred thousand dollars, to be divided into shares of one hundred dollars each, with the right and power in said company to increase its capital stock, from time to time, as it may elect, to any sum not exceeding the whole cost to said company of lands, buildings, works, improvements, materials, stocks and other property, but in any event not to exceed the sum of one million of dollars; the subscription to the capital stock may be made payable in money, or in real or personal property, appropriate to the business contemplated by this act, at a fair valuation, to be fixed upon by a majority in interest of its stockholders, at the time of such purchase, and such purchase may include the real and personal estate, leases and contracts of said company.

SECTION 4. The said Newport Coal Company, in addition to the office for the general transaction of business, in the county of Luzerne, may also have an office for transaction of business, either in the city of Philadelphia, New York, or Boston.

SECTION 5. That the affairs of said company shall be managed and conducted by a board of directors, to consist of not less than five, nor more than nine, as may be determined, from time to time, by the stockholders, at any annual meeting; said board of directors shall be stockholders, and shall be elected annually, after the first election, as hereinbefore provided for, and shall hold their offices for one year and until their suc-

Name.

Seal.

Powers and privileges.

Subscriptions to stock, relative to.

First election of directors, when to be held.

Votes.

Capital stock.

Limitation.

Subscriptions, how payable.

Officers.

Management.

Election of directors.

Failure to elect  
not to affect  
their rights.

Officers and  
agents.

Vacancies.

Quorum.

By-laws.

May borrow  
money, and is-  
sue securities  
therefor.

Bonus.

Tax.

Individual lia-  
bility.

Executors, ad-  
ministrators,  
&c., relative to.

Reservation.

cessors are elected; but any failure, or omission, to elect such directors, annually, shall in no wise impair, or affect, meanwhile, the rights and powers of those holding over, or the rights and interest of said company, in any way; said board of directors shall elect a president, from one of their number, and shall appoint a treasurer, secretary and such other officers and agents as they may deem necessary, to manage the affairs of the company, and shall fill all vacancies occurring in their own body, until the next succeeding election by the stockholders, and a majority of said board shall form a quorum for the transaction of business; they shall have power to make by-laws for the regulation of the affairs of the company, subject to the revision and approval of the stockholders, and not inconsistent with the laws of the commonwealth.

SECTION 6. That the said company may borrow money and create indebtedness, in such way and manner as the board of directors may deem necessary, for the prosecution and management of the business of the same, and to issue the securities of the said company therefor, in such form and manner, and payable in such places, as they may deem proper, at a rate of interest not exceeding seven per centum, and dispose of such securities in such manner, and in such places, as such board may direct.

SECTION 7. That the said company shall pay, into the treasury of the commonwealth, a bonus of one-half of one per centum on the capital stock hereby authorized, or hereafter created, in four equal annual instalments, and such other tax as is now, or may hereafter be, imposed, by law, on corporations; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for country produce, to be sued for and collected as provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Iron and Coal Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three: *Provided*, That executors, administrators, guardians and all other trustees, who may hold stock in their representative capacity, shall be entitled to represent the same, without being subject to any personal liability therefor, or on account thereof, and that persons holding stock, pledged by the owners thereof as collateral security, shall not be held personally subject to any liability as stockholders, and shall not be entitled to represent said stock at the meetings of stockholders, but that the owners thereof shall be entitled to such representation, as fully as though no such pledge had been given: *And provided further*, That the legislature hereby reserves the right to amend, alter, or repeal this act, at any time; in such manner, however, as shall do no injustice to the stockholders.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-first day of June, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 835.

**An Act**

To incorporate the Pennsylvania Slate Company.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Dewees J. Martin, Abraham Stout, William Chapman, Augustus Wolle, Charles Brodhead, and such other persons as may associate with them, their successors and assigns, be and they are hereby created and made a corporation and body politic, by the name, style and title of the Pennsylvania Slate Company, and by that name and title, shall have succession, and shall be capable, in law, to sue and be sued, in any court of law, or equity, and have and use a common seal, with the right to hold land, by lease, or fee simple, in Lehigh and Northampton counties, and quarry, raise, manufacture, transport and sell, slate therefrom, and the said lands and slate quarries to sell, or lease, mortgage, or encumber, as to the said corporation may seem meet and proper: *Provided,* Said company shall not hold, in fee, over one thousand acres. Corporators. Title. Privileges. Limitation.
- SECTION 2.** That the capital stock of said company shall be three hundred thousand dollars, divided into shares of twenty dollars each; and the said corporation may increase the same to any sum, not exceeding one million of dollars. Capital stock.
- SECTION 3.** That the property and affairs of this company shall be managed and conducted by five directors, being stockholders; the president shall be appointed by the directors, from their own number, and the directors shall have power to appoint such other officers and agents as may be deemed necessary, to carry on the business of said corporation, and require such security from them as to the said directors may seem proper, and to fill all vacancies that may occur in their own body, and make all needful by-laws, not inconsistent with the laws of this state, or of the United States. Management. President. Officers and agents. Vacancies. By-laws.
- SECTION 4.** That the annual election of directors shall take place on the second Tuesday of January, in each year, commencing on the second Tuesday of January, one thousand eight hundred and sixty-five, at some place to be designated by the by-laws, and all elections shall be by ballot, and each share shall be entitled to one vote; such notice of election shall be given as the by-laws may require, and if, from any cause, an election shall not be held at the appointed time, it shall not work a forfeiture of this charter, but a new election shall be ordered, in conformity to the by-laws of such corporation, and the then acting directors shall continue in office, until their successors are elected. Time and place of holding election of directors. Votes. Failure to hold election, relative to.
- SECTION 5.** That Dewees J. Martin, Abraham Stout, William Chapman, Augustus Wolle and Charles Brodhead, shall be the first directors, to organize and manage the affairs of First directors.

said company, and shall continue in office until the second Tuesday of January, one thousand eight hundred and sixty-five, and until their successors are duly elected.

Stock may be transferred.  
Dividends, relative to.

SECTION 6. That the stock may be transferred agreeably to the by-laws which may be adopted by the corporation, and that dividends may be declared and paid whenever the directors may deem it advisable, but said dividends shall, in no case, exceed the amount of actual profits of said corporation; and the said company shall pay, into the treasury of the state, a bonus of one-half of one per centum upon the amount of the capital stock, payable in four annual instalments, the first whereof shall be paid within one year after the said company shall have organized.

Bonus.

Individual liability.

SECTION 7. That the stockholders of said company shall be jointly and severally liable, in their individual capacities, for debts due mechanics, workmen and laborers, employed by said company, and for materials furnished said company, to be sued for and collected as is provided in the thirteenth, fourteenth and fifteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three.

Reservation.

SECTION 8. That the legislature hereby reserves the right to amend, alter, or repeal, this charter, at any time; in such manner, however, as shall not do injustice to the corporators.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of June, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 836.

## An Act

To incorporate the Pennsylvania Middle Coal Field Coal and Railroad Company.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Marcus Cauffman, Joseph Walton, Moses Polock, Hezekiah W. Arnold, Simon W. Myers, Charles F. Norton, their associates, successors and assigns, be and they are hereby incorporated and made a body politic and corporate, by the name, style and title of the Pennsylvania Middle Coal Field

Title.

Coal and Railroad Company, with a capital stock of two hundred and fifty thousand dollars, with the privilege of increasing to five hundred thousand dollars, whenever a majority of the stockholders shall so determine; and by that name, shall have perpetual succession, and be capable, in law, of receiving, holding and conveying such real and personal property, as may be necessary for the object of this incorporation, may sue and be sued, plead and be impleaded in all courts of law and equity, and may have a common seal, which they shall have power to alter and renew at pleasure, and may receive, execute and deliver all such instruments of writing, and do such acts and things, necessary to promote the objects, interests and designs of said company, as authorized by this act; namely, from time to time, open and mine the coal and other minerals, in the lands belonging to the said company, in the county of Columbia, sell and dispose of the same, or to make lease, or leases, for mining or selling the same, to make and construct railroads, not exceeding ten miles in length, upon the lands of the said company; and the said company shall have the right to enter upon and pass over adjacent or adjoining lands, in the construction of said road, and charge tolls thereon, and generally to do and perform all things pertaining to the leasing, mining, preparing for market, and the selling and disposing of, the minerals found on said lands, with full power, also, to sell or mortgage the said lands, with the improvements thereon, or a part thereof, and to make purchases of any other tract, or tracts, in the county of Columbia.

Capital stock.

Powers and privileges.

SECTION 2. That the lands to be conveyed to the said company, in fee simple, by the parties owning the same, shall form a common stock, and be divided into a convenient number of shares, and apportioned by the said company among the subscribers, according to their respective interests, for which, certificates of stock shall be issued, and be assignable and transferable, in such way, and subject to such conditions, as the said company may, from time to time, prescribe; and the said shares of stock, so created, shall, for all legal purposes whatever, be deemed and treated as personal estate; and the said corporation may, whenever it is deemed necessary, or expedient, with the consent of the holders of a majority of the shares of the said stock, levy and collect assessments, and forfeit and sell delinquent shares, in such manner as the by-laws may direct: *Provided*, That the quantity of land, which shall be held by the said company, at any one time, shall not exceed three thousand acres.

Lands conveyed to the company to form a common stock, &amp;c.

Certificates to be issued.

Assessments may be levied, delinquent shares forfeited, &amp;c. Quantity of land.

SECTION 3. That the stockholders shall meet as soon as practicable, after the passage of this act, notice of the time and place of such meeting having been first given, by advertisements, in one newspaper, published in the county of Columbia, and in one daily paper, published in the city of Philadelphia, and annually thereafter, at such time and place as shall be fixed upon, and shall then and there proceed to elect, by ballot, five directors, to serve for the term of one year, and until others are chosen in their places; and the said election shall be made by such of the stockholders of the said

Meeting of stockholders. Notice.

Election of directors.

Votes.	company as shall attend for that purpose, either in person, or by proxy, each share of stock to entitle the holder thereof to one vote ; the directors, so chosen, shall elect one of their number to be president of the board of directors of said company.
President.	
By-laws.	SECTION 4. That the directors shall have full power to make by-laws, and to appoint such officers and agents, as they shall deem expedient, for the well conducting and transacting of the business of the company, to declare and provide for the payment of dividends to the stockholders, and in general, to superintend the business and concerns of the company : <i>Provided</i> , Such by-laws shall not be repugnant to the constitution and laws of the state, or of the United States : <i>And provided</i> , That this act shall not be construed to confer upon the said company banking privileges.
Officers and agents.	
Dividends.	
Proviso.	
Prohibition.	
Bonus.	SECTION 5. That the said company shall pay, into the state treasury, a bonus of one-half of one per centum upon the capital stock, hereby authorized, in four equal, annual, instalments, the first of which instalments shall be paid within one year from the date of the organization of the company ; and the stockholders of said company shall be individually liable, jointly and severally, for debts due mechanics, workmen and laborers, employed by said company, and for materials and provisions furnished said company, to be sued for and collected, as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three : <i>Provided</i> , That the legislature hereby reserves the right to amend, alter or repeal this act, at any time ; in such manner, however, as shall do no injustice to the stockholders.
Individual liability.	
Reservation.	
Limitation.	SECTION 6. That the privileges, hereby granted, shall not be enjoyed for a longer period than twenty years, unless extended, or renewed, by act of assembly.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of June, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 837.

*A Supplement*

To an act to declare and regulate escheats.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where real, or personal, estate has been held by tenants in common, co-tenants, joint tenants, or in partnerships, and who have died intestate, without heirs, or any known kindred, such estate shall escheat to the commonwealth, subject to all legal demands on the same.

SECTION 2. It shall not be necessary for the informant to give the individual names of tenants in common, co-tenants, joint tenants, or partnerships, nor their individual interests, where the same are unknown; but the same shall escheat in the name, by which, their joint interests were, or are, held: *Provided,* That where such names, or interests, are not known, affidavit to that effect shall be made by the informant, and filed of record.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-seventh day of June, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 838.

*An Act*

Relating to Hamilton and Thirty-first streets, in the Twenty-fourth ward, of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That so much of Hamilton street, as lies between Mansion street and Bridgewater, or Thirtieth, street, and so much of Thirty-first street, as lies between the Powelton estate, of the Pennsylvania Railroad Company, and Hamilton street, in the Parts of Hamilton and Thirty-first streets vacated.

Twenty-fourth ward, of said city of Philadelphia, be and the same are hereby vacated.

**Damages to be paid by Pennsylvania Railroad Company.** SECTION 2. That it shall and may be lawful for any party, injured thereby, if such there be, to apply for a jury, in the manner prescribed by existing laws, in force in the city of Philadelphia, in relation to the vacating of streets; and the award of such jury, when finally confirmed, shall be paid by said Pennsylvania Railroad Company: *Provided*, That public notice, of the closing of the parts of said streets, hereby vacated, be given by advertisement, in three newspapers, published in said city: *And provided also*, That such application for a jury be made, within three months after such notice is first published.

**Notice of closing of streets to be given.**

**Application for jury, when to be made.**

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventh day of July, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 839.

## An Act

To incorporate the Oil City Bank.

**Commissioners.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Gordon, Philip H. Live, Samuel Q. Brown, H. M. Hamilton, C. Heydrick, N. R. Bushnell, Joshua Douglass, William A. Shreve and William C. Tillson, be and they are hereby appointed commissioners, and they, or a majority of them, are authorized and empowered to establish a bank, to be called the Oil City Bank, to be located at, or near, Oil City, in the county of Venango, with a capital of two hundred thousand dollars, with the right to increase the same to any amount not exceeding one million dollars, which shall be divided into shares of fifty dollars each, to be organized, managed and governed, as is provided for by the general act regulating banks, approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty, and to be subject to all the provisions and restrictions, and to enjoy all the immunities and privileges, contained in said act, and the several supplements thereto: *Provided*, That a bonus of one-half of one per cent., on the capital stock of the said bank, hereby authorized, shall

**Name and location.**

**Capital.**

**Subject to.**

**Bonus.**



be paid, into the treasury of this commonwealth, in four equal, annual, instalments, the first of which shall be paid within one year after the passage of this act.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The eighteenth day of June, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 840.

## An Act

To authorize the sale of certain real estate, in the city of Philadelphia.

WHEREAS, On the twentieth day of August, one thousand eight hundred and six, there was conveyed to the master and assistant wardens, of the port of Philadelphia, a piece of ground, forty feet in width, or front, upon the road leading to Gloucester Point, and in length, or depth, extending from said road, into the Delaware, at low water mark, the southern boundary, of said piece of land, being distant eight hundred feet, or thereabouts, from the north side of the wharf of Greenwich Point :

*And whereas*, Said land was conveyed to said wardens, in trust for and to the use of the commonwealth of Pennsylvania, for the purpose of erecting a pier, at which, vessels might unload and load gunpowder, to be stored in a magazine then conveniently thereto :

*And whereas*, The location of said magazine having been changed, no gunpowder has been unloaded, or loaded, upon said pier, for a great number of years, and said pier having become so dilapidated as to be useless, it is to the interest of all parties that the same be sold, and the money received therefrom be appropriated to the general purposes of the commonwealth of Pennsylvania :

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the board of wardens, of the port of Philadelphia, shall be and they are hereby authorized and required to sell, within three months, said powder pier, at public sale, after public notice, in at least two daily newspapers, published in said city, three times a week, for two weeks, and to convey the same, in fee simple, to the purchasers, by a deed executed under their

seal, signed by the master warden, and attested by the clerk, which deed shall vest an absolute title in the purchaser, free, clear and discharged, from all and every trust, use and limitation; and the whole of the purchase money, arising from said sale, shall be paid into the state treasury; and all acts, inconsistent herewith, are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-second day of July, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 841.

## An Act

To incorporate the Freeport and Shenango Valley Railroad and Coal Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

**Commissioners.** That Jacob Ziegler, Peter Graff, John T. Bard, John M. Thompson, Thomas Stevenson, Matthew Grier, Thomas Robinson, J. M. Sheriff, R. C. M'Abey, William S. Garvin, Arcus M'Dermott, Alexander Thompson, J. H. Rankin, William G. Rose, Joseph Shippen, J. T. Hawthorn, A. S. Barnwell, J. C. Dubadway, William Elliott, R. P. King and Thomas B. Lloyd, are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name,

**Title.** style and title, of the Freeport and Shenango Valley Railroad and Coal Company, with authority to construct a railroad from

**Route.** the borough of Freeport, in Armstrong county, by the most available route, to some point on the Erie and Pittsburg railroad, between Clarksville and West Greenville, in the county of Mercer, with authority to connect with any canal, or any other railroad, and to make such branches as the said company may direct; and, also, for the purpose of mining coal, and transacting the usual business of companies, engaged in mining,

**Authorized to connect with any canal, or railroad, and make branches. May mine coal, &c.** transporting and selling coal, and the other products of coal lands; and the said company shall have the same powers, liberties and privileges, and immunities, and be subject to the same terms and conditions, as are imposed in the act regulating railroad companies, passed the nineteenth day of Febru-

**Subject to.**

ary, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies."

SECTION 2. That the capital stock, of said company, shall consist of ten thousand shares, of one hundred dollars each : *Provided*, That said company may, at a meeting to be called for that purpose, increase the capital stock, as much as in their opinion may be necessary, to carry out the true intent and meaning of this act. Capital stock.  
Provido.

SECTION 3. That the said company is hereby authorized to borrow money, to an amount not exceeding their capital stock, upon bonds to be issued by said company, secured by mortgage upon so much of their corporate property as may be deemed adequate security therefor, whenever the president and directors shall deem the issue of such bonds, and the giving of such security, by mortgage, expedient : *Provided*, That the rate of interest shall not exceed seven per centum per annum : *And provided*, That the holders of said bonds may, at any time, convert the same into the stock of said company ; and that no bond shall be issued for a less sum than one hundred dollars. May borrow  
money upon  
bonds, secured  
by mortgage.  
Provido.  
Provido.

SECTION 4. That the president and directors of said company, if they shall deem it expedient, are hereby authorized to pay to the stockholders, semi-annually, on all instalments of stock, paid into the treasury of said company, interest at the rate of six per centum per annum, until said railroad shall be completed ; but no stockholder, who is in default of the payment of his stock, shall be entitled to receive interest on any instalment previously paid in. Directors au-  
thorized to pay  
to stockholders,  
semi-annually,  
interest on in-  
stalments.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 842.

## An Act

For the divorce of Alice S. Hurlbert, from her husband, Charles W. Hurlbert.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract, entered into between Charles W.

Hurlbert and Alice S. Hurlbert, late of the county of Tioga, state of New York, on the nineteenth day of March, Anno Domini one thousand eight hundred and sixty-two, now a resident of Pennsylvania, be and the same is hereby annulled and made void, and the parties released and discharged from said contract, and from all duties, rights and obligations arising therefrom, as fully and effectually and absolutely, in all respects, as if they had never been joined in marriage.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 843.

## An Act

To incorporate the Coudersport and Lymanville Street Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That J. W. Bigony, Rufus Farr, George M. Tracy, J. Christie and their successors, or assigns, be and they are hereby constituted a body politic and corporate, with perpetual succession, by the name, style and title of the Coudersport and Lymanville Street Railway Company, and as such shall have the right to lay out and construct a railway, with one or more tracks, with turn-outs and sidelings, from Coudersport to Lymanville, or between such points as the directors may select, through any streets, or roads, or over, or construct any bridges, or by any routes they may deem advisable, and to cross, at grade, or connect with, any other railroad, now constructed, or that may hereafter be constructed, and to carry passengers and freight along such routes and streets, as may be used by said railway; and they shall have the right to charge such rate of fare as the directors of said company may, from time to time, determine upon, and to equip said road, to purchase, hold and convey such real estate, and to erect thereon such buildings and improvements, as they may deem necessary for the purposes of said company.

SECTION 2. That the capital stock of said company shall be twenty thousand dollars, divided into four hundred shares of

Corporators.

Title.

Construction of  
railway autho-  
rized.

Route.

Powers and  
privileges.

Capital stock.

fifty dollars each, with privilege of increasing the same, from time to time, as the directors may determine.

SECTION 3. That the parties, hereinbefore named, or any three of them, may proceed to organize said company, and obtain subscriptions to the capital stock thereof; and after ten per cent. has been subscribed, may proceed to elect a board of five directors, who shall serve until the first Tuesday in November following, or until their successors are elected; and the stockholders shall annually thereafter, on the first Tuesday in November, elect a similar board of five directors, to serve for one year, or until their successors are elected; and if, for any reason, said election shall not be held at the time indicated, then another shall be appointed by the directors, after public notice of two weeks has been given, in one newspaper, published in the county; and the directors shall have power to fill all vacancies in their board, whether from death, resignation, or otherwise; but no person shall act as director who is not a stockholder.

Organization.

Subscriptions,  
relative to.

Election of di-  
rectors.

Vacancies.

SECTION 4. That the company shall commence and complete said railway, at any time within ten years from the passage of this act, the completion of any one mile thereof perpetuating the rights hereby conferred.

When road to  
be commenced  
and completed.

SECTION 5. That the said directors shall have the power to appoint a president, treasurer, and such other officers as they may deem necessary; and in all elections for directors, and at other meetings of stockholders, each share shall entitle the holder thereof to one vote; but no stockholder or assignee shall vote upon any share of stock, on which, an instalment is due and unpaid.

Officers.

Votes.

SECTION 6. That the said company shall have the power to borrow money, in any sum, not exceeding, in amount, one-half of its authorized capital stock, at a rate of interest, not exceeding seven per centum per annum; and for the purpose of securing the re-payment of the same, and the interest thereon, to issue bonds, and secure the same by mortgage, or otherwise: *Provided*, No bonds shall be issued for a sum less than one hundred dollars, against the collection of which, no plea of usury can be interposed.

May borrow  
money and is-  
sue bonds  
therefor.

Proviso.

SECTION 7. That the said company shall be entitled to all the privileges, and subject to all the provisions, of an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, so far as the same are not altered and supplied by this act.

Subject to.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 844.

*An Act*

To change the name of the Coudersport and Lymansville Street Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the name of the Coudersport and Lymansville Street Railway Company, approved the nineteenth day of April, Anno Domini one thousand eight hundred and sixty-four, be and the same is hereby changed to the Northern Railway Company; and the said act shall be construed the same as though the Northern Railway Company had been the original name thereof.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 845.

*An Act*

To settle the claim of John Loban.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the board of military claims be directed to examine and adjudicate the claim of John Loban, of Harrisburg, for damages sustained by him in consequence of the destruction of his fruits, vegetables, et cetera, by the state militia, during the summer and fall of one thousand eight hundred and sixty-three; and they shall certify to the auditor general the amount of damages they may find the said Loban justly entitled to, and the auditor general shall then draw his warrant for the

same, on the state treasurer, who shall pay it out of any moneys in the treasury not otherwise appropriated.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twelfth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN

No. 846.

## An Act

To repeal an act, entitled "A further supplement to an act regulating auctions in the city of Lancaster, and other towns in this commonwealth, and the several supplements thereto, approved the seventh day of April, one thousand eight hundred and thirty-two," which aforesaid act was approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "A further supplement to an act regulating auctions in the city of Lancaster, and other towns in this commonwealth, and the several supplements thereto, approved the seventh day of April, one thousand eight hundred and thirty-two," which aforesaid act was approved the twelfth day of April, one thousand eight hundred and fifty-seven, be and the same is hereby repealed, so far as relates to the town of Uniontown, in the county of Fayette.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The tenth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 847.

*An Act*

Regulating the weight and measurement of bituminous coal, in the county of Indiana.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the weight of bituminous coal, in the county of Indiana, shall be seventy-six pounds to the bushel, and the measurement of said bushel twenty-six hundred and eighty-eight cubic inches.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The tenth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 848.

*An Act*

Relative to the North-Western Navigation Company.

WHEREAS, By the provisions of an act of the general assembly, approved the twenty-seventh day of February, one thousand eight hundred and sixty-three, the North-Western Navigation Company was incorporated:

*And whereas,* By an act approved April fifteenth, one thousand eight hundred and sixty-three, the said act of incorporation was repealed, but such repeal was not to take effect, until the parties asking the same did certain things, named in the proviso of the said repealing act:

*And whereas,* The said parties have entirely failed to do and perform any of the said acts; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to repeal an act, entitled 'An Act to incorporate the North-Western Navigation Company,'



approved the fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three," be and the same is hereby repealed, and the charter of said company shall be and continue in full force and effect.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The tenth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 849.

## An Act

For the relief of James Walsh, late Treasurer of Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer be and they are hereby authorized to open and re-settle the accounts of James Walsh, late treasurer of Luzerne county, with the commonwealth, and to allow to said James Walsh, in said settlement, credit for such mercantile taxes, billiard table licenses, and eating house licenses, as he shall show by the certificate of the justice of the peace, before whom the same was sued, that he failed to collect for want of the persons, standing charged with the same, of having goods and chattels, out of which the same could be collected, and for such other credits as, in their judgment, he may be entitled to.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The tenth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 850.

## Supplement

To an act relating to the authentication of letters of attorney, protests of notaries public, and assignments made out of the State, and to the acknowledgment of deeds, approved the fourteenth day of December, one thousand eight hundred and fifty-four.

\* SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Certain provisions extended to affidavits made before officers of other States, &c.

That the first section of the act of assembly, entitled "An Act relating to the authentication of letters of attorney, protests of notaries public, and assignments made out of the state, and to the acknowledgment of deeds," approved the fourteenth day of December, one thousand eight hundred and fifty-four, be and hereby is extended to, and shall embrace, any and all affidavits made before any officer, authorized by the laws of any of the United States, to administer oaths, and duly certified under the hand and seal of the clerk, or prothonotary, of the county where the same may be made, as to the official character of the person administering the oath, shall have the same force and effect, in any court of Pennsylvania, as if made before any officer in this state, duly authorized, by law, to administer oaths.

Powers of notaries public, relative to.

SECTION 2. That each notary public, of this commonwealth, shall have power to take depositions and affidavits, to take and receive the acknowledgment, or proof, of all deeds, conveyances, mortgages, or other instruments of writing, touching, or concerning, any lands, tenements, or hereditaments, situate, lying and being, in any part of this state; and, also, power to take and receive the separate examination of any *feme covert*, touching, or concerning, her right of dower, or the conveyance of her estate, or right in, or to, any such lands, tenements, or hereditaments, as fully, to all intents and purposes whatsoever, as any judge of the supreme court, or president, or associate judge, of any of the courts of common pleas, or any alderman, or justice of the peace, within this commonwealth; and the fees, to be received by said notaries public, shall be the same as are now allowed by law to the aldermen and justices of the peace, for similar services.

Fees.

Acknowledgments, or proof, of conveyances, mortgages, &c., made before notaries, relative to.

SECTION 3. That all acknowledgments, or proof, of conveyances, mortgages, or other instruments of writing, made before any notary public of this commonwealth, under and by virtue of a supposed authority given by an act authorizing notaries public in this state, and in any state, or territory, in the United States, to take acknowledgments of deeds and letters of attorney, and to confirm acknowledgments heretofore made, approved April twenty-second, Anno Domini one thousand eight hundred and sixty-three, shall be as valid, to all

intents and purposes, and be in like manner entitled to be recorded, as if the same had been duly acknowledged, or proven, according to the previously existing laws of this commonwealth.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The tenth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 851.

## A Supplement

To an act, approved April twenty-third, eighteen hundred and sixty-four, entitled "A further supplement to an act to incorporate the Pennsylvania Railroad Company," approved the thirteenth day of April, eighteen hundred and forty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the said act, to which this is a supplement, as refers to the railroad of the Western Transportation Company, be so amended, as to read in lieu thereof, to connect with the railroad tracks of the Pittsburg and Steubenville Railroad Company; and if the viewers, appointed to assess damages, under the provisions of said act, should determine to appraise the value of the buildings and the lot, or lots, connected therewith, then and in that event, the present owners shall convey the same, by deed in fee, to the Pennsylvania Railroad Company, upon payment of the damages so awarded, after final confirmation by the court; all parts of said act, to which this is a supplement, inconsistent with this act, be and the same are hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twelfth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 852.

**An Act**

To exempt the Penn Asylum, of Philadelphia, for indigent widows and single women, from taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the building and grounds thereto attached, of the Penn Asylum, of Philadelphia, for indigent widows and single women, situate in Belgrade street, above Otis, in said city, be and the same are hereby exempted from taxation, for city and county purposes; and all such taxes assessed thereon, for the present year, are hereby exempted.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 853.

**An Act**

To incorporate the Howard Coal and Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Washington Lee, Jr., S. S. Winchester, J. C. Duhadaway, Aaron Whitaker and James W. Mayles, and their associates and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the Howard Coal and Iron Company, to be located in the county of Luzerne, and shall have and enjoy all the rights and privileges, which were authorized to be held and enjoyed by the North-Western Coal and Iron Company, by the act incorpo-

rating the same: *Provided*, That any lands, authorized to be held by said corporation, shall be located in Luzerne county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eighteenth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 854.

## An Act

To authorize the Commissioners of Berks county, and the school directors, or supervisors, of the several boroughs and townships, of said county, to raise money to pay bounties to volunteers and drafted men.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

That the commissioners of Berks county are hereby authorized to borrow such sum, or sums, of money, as may be sufficient to pay to each and every non-commissioned officer and private soldier, who may have, or may, hereafter, volunteer and enter the service of the United States, from said county, or who may be drafted therefrom, and be credited to the quota thereof, in pursuance of the existing requisition of the President of the United States, or any law of the United States, now made, or hereafter to be made, a sum, not exceeding three hundred dollars.

Commissioners authorized to borrow money.

SECTION 2. That in case the commissioners of said county neglect, or refuse, to raise a sum of money sufficient to pay the full amount of bounty, authorized by the foregoing section, then, and in that case, it shall and may be lawful for the school directors, or supervisors, of the several boroughs and townships, of said county, to borrow such sum, or sums, of money, as will be sufficient, when added to the amount raised by the said county commissioners, to pay a bounty of three hundred dollars to each and every non-commissioned officer and private soldier, who may have, or may, hereafter, volunteer and enter the service of the United States, from said several boroughs and townships, in said county, or who may be drafted therefrom, and be credited to the several quotas of the said boroughs and townships, in pursuance of the existing requisition of the President of the United States, or any law of the United States, now, or hereafter to be, made.

In case of neglect, or refusal, of commissioners to raise the amount necessary, school directors, or supervisors, may borrow.

Bonds, or certificates, to be issued for payment of moneys borrowed.

To be exempt from taxation.

SECTION 3. That for all moneys borrowed, under and by authority of the foregoing sections, the commissioners, of said county, and the school directors, or supervisors, of the several boroughs and townships, of said county, shall issue bonds, or certificates of indebtedness, and provide for the payment of the principal and interest thereof, in the mode and manner prescribed by the seventh section of an act, entitled "An Act relative to the payment of bounties to volunteers," approved twenty-fifth March, Anno Domini one thousand eight hundred and sixty-four: *Provided*, That all bonds, or certificates of indebtedness, issued under the provisions of this act, shall be exempt from all taxation.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The nineteenth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 855.

## An Act

To extend the charter of the Bank of Montgomery County.

Charter extended.

Subject to.

Bonus.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Bank of Montgomery County shall be, and the same is hereby, extended and continued for the period of five years, from the day of the expiration of its present charter, subject to all and singular, the restrictions and privileges, contained in an act, entitled "An Act regulating banks," approved the sixteenth day of April, one thousand eight hundred and fifty, and the several supplements thereto, and to such further provisions and restrictions, as the legislature may hereafter enact, for the regulation and government of banks.

SECTION 2. That the said bank shall, within one year from the date hereof, pay, into the treasury of the commonwealth, a bonus of one-half of one per centum upon its capital stock.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, entitled "An Act to extend the charter of the Bank of Montgomery County," was presented to the governor, on the fourth day of May, one thousand eight hundred and sixty-four, and was not returned, within three days after the meeting of the legislature, in extra session; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, August 19, 1864.

No. 856.

## An Act

Authorizing the Auditor General and State Treasurer to re-examine the account between the Commonwealth and John Gallagher.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer, of this commonwealth, are hereby authorized and required to open, re-settle and adjust the accounts between the commonwealth and John Gallagher, of Clearfield township, Butler county, late supervisor of the Lower Western division of the Pennsylvania canal, and receive proof on all matters pertaining to said settlement, and decide on the same; and whatever is found to be due the commonwealth, at the time of the sale of the said public works, shall be received in satisfaction of said claim against the said John Gallagher, deducting therefrom whatever has been paid to the commonwealth, since the said sale.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do certify, that the bill, entitled "An Act authorizing the auditor general and state treasurer to re-examine the account between the commonwealth and John Gallagher," was presented to the governor, on the twenty-sixth day of April, one thousand eight hundred and sixty-four, and was not returned, within three days after the meeting of the legislature, in extra session; wherefore, it has, agreeably to the constitution of

this commonwealth, become a law, in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, *August 19, 1864.*

No. 857.

## An Act

Relative to the accounts of Andrew J. Rhey, former treasurer of Cambria county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if Andrew J. Rhey, former treasurer of Cambria county, shall, within six months from the passage of this act, pay into the state treasury the amount of the debt, without interest, due and owing by him to the commonwealth, then, and in that case, the auditor general is hereby authorized and required to liquidate the same; and the said Andrew J. Rhey shall be discharged from all further liability, on his account, on the books of the auditor general.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do hereby certify, that the bill, No. 825, entitled "An Act relative to the accounts of Andrew J. Rhey, former treasurer of Cambria county," was presented to the governor, on the second day of May, one thousand eight hundred and sixty-four, and was not returned, within three days after the meeting of the legislature, in extra session; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if it had been signed.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, *August 19, 1864.*



No. 858.

*An Act*

To annul the marriage contract between Jacob Sechler, Senior, and Mary Ann Sechler.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract, entered into between Jacob Sechler, Senior, and Mary Ann, his wife, of the borough of Danville, in the county of Montour, be and the same is hereby annulled, and made void, and the said parties released, set free, and discharged from said contract, and the duties and obligations thereunder, as fully, effectually, and absolutely, as if said contract had never been made.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do hereby certify, that the bill, No. 951, entitled "An Act to annul the marriage contract between Jacob Sechler, Senior, and Mary Ann Sechler," was presented to the governor, on the second day of May, one thousand eight hundred and sixty-four, and was not returned, within three days after the meeting of the legislature, in extra session; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if it had been signed.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, *August 19, 1864.*

No. 859.

*An Act*

For the relief of Captain Norton M'Giffin and Captain John H. Ewing.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the state treasurer is hereby authorized and directed to pay Captain Norton M'Giffin, and Captain John H. Ewing, of Washington county, the cost of subsistence of two companies of volunteers, at Harrisburg, in the month of September, one thousand eight hundred and sixty-two, and cost of transportation of said volunteers from the city of Pittsburg to the borough of Washington, the amount of which claim is to be ascertained and settled by the auditor general.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do hereby certify, that the bill, No. 1232, entitled "An Act for the relief of Captain Norton M'Giffin and Captain John H. Ewing," was presented to the governor, on the thirtieth day of April, Anno Domini one thousand eight hundred and sixty-four, and was not returned, within three days after the meeting of the legislature, in extra session; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if it had been signed.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, *August 19, 1864.*

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No. 860.

## An Act

For the relief of Chambersburg.

Preamble.

WHEREAS, On the morning of the thirtieth of July, Anno Domini one thousand eight hundred and sixty-four, the insurgent forces, under Generals Johnston and M'Causland, entered Chambersburg, and with a barbarity and vandalism, unparalleled in the history of civilized warfare, fired and destroyed the entire business portion of the town, including two hundred and sixty-five private dwellings, and all the public buildings, and thereby made thousands of its citizens houseless and destitute:

*And whereas,* Charity and benevolence are as much the duties of states, as of individuals; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the sum of one hundred thousand dollars is hereby appropriated for the relief and benefit of the sufferers, from the late destructive fire, in the borough of Chambersburg, and its vicinity; the said sum to be distributed amongst said sufferers, by the persons, and in the manner, hereinafter mentioned.

SECTION 2. That John Armstrong, Charles M. Burnet, Joseph Clark, William M'Lellan, and Daniel K. Wunderlich, be and they are hereby named as commissioners, whose duty it shall be, as soon as practicable, to make a careful distribution of said sum, or so much thereof, as may be necessary, to and among those destitute sufferers only, who may be in actual need of temporary relief.

SECTION 3. That said commissioners, before entering upon their duties, shall be sworn by some person, competent, in law, to administer oaths, and they shall have the right to administer oaths, or affirmations, to all claimants for relief; and in case the said commissioners believe that any claimant has intentionally made out a false and dishonest claim, said commissioners may, at their option, reject said claim altogether, or hold the claimant to strict proof thereof.

SECTION 4. That the whole amount of state and county tax, heretofore assessed, and unpaid, upon the personal property, and the real estate upon which the buildings have been destroyed by the late fire, within the said borough of Chambersburg and its vicinity, is hereby released to the persons liable for the same, and that for the years one thousand eight hundred and sixty-five, one thousand eight hundred and sixty-six and one thousand eight hundred and sixty-seven, no taxes, for state or county purposes, shall be assessed on, or collected of, the aforesaid real estate of said sufferers, within said borough of Chambersburg, or its vicinity; and that all school tax, assessed upon said property, shall be remitted, for the year eighteen hundred and sixty-four.

SECTION 5. That all persons, heretofore doing business, within said borough, whose property, or merchandize, has been destroyed by the late fire, except inn-keepers, and keepers of restaurants and lager beer saloons, are hereby released from the payment of all licenses, of any kind whatsoever, required by the laws of this commonwealth, which have been assessed, or returned, for the year one thousand eight hundred and sixty-four, and which may be assessed and returned, for the year one thousand eight hundred and sixty-five.

SECTION 6. That the state treasurer is hereby directed to pay to the commissioners, hereinbefore named, for the purpose hereinbefore mentioned, the sum of one hundred thousand dollars, or so much thereof as may be necessary, out of any money in the treasury.

SECTION 7. That the sum of four thousand dollars be appropriated, out of any moneys in the hands of the state treasurer, not otherwise appropriated, for the relief of the public schools, in the said borough of Chambersburg, to be paid by the state treasurer, to the treasurer of the school fund, of said borough, upon the warrant of the superintendent of common schools.

SECTION 8. That before the commissioners, mentioned in the second section of this act, shall receive the moneys hereby ap-

Appropriation.

Commissioners appointed to make distribution thereof.

To be sworn.

Authorized to administer oaths to claimants.

State and county taxes released.

None to be assessed, for certain years.

School tax for 1864 remitted.

Released from payment of licenses.

Exceptions.

State treasurer to pay money appropriated, to commissioners.

Appropriation for schools.

Commissioners to file affidavit and statement, in office of secretary of the commonwealth.

appropriated, or any part thereof, they shall file, in the office of the secretary of the commonwealth, an affidavit, faithfully to discharge their duties, according to the provisions of this act; and it shall be the duty of such commissioners, within six months from the passage of this act, to file, in the office of said secretary, a statement, under oath, showing the whole amount expended, to whom paid, and the amount paid to each.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 861.

## A Supplement

To the act for the organization, discipline and regulation, of the Militia of the Commonwealth of Pennsylvania, approved May fourth, one thousand eight hundred and sixty four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Governor and state treasurer authorized to borrow three millions of dollars.

That the governor and state treasurer be and they are hereby authorized and empowered to borrow, on the faith of the commonwealth, at such time, in such amounts, and with such notice, as they may deem most expedient for the interest of the state, any sum, not exceeding three millions of dollars, and issue certificates of loan, or coupon bonds of the commonwealth, for the same, bearing six per centum interest per annum, payable, semi-annually, in the city of Philadelphia; which certificates of loan, or bonds, shall not be subject to state, or local, taxation, for any purpose whatever, and shall be reimbursable at any time after the expiration of ten years from their date; and the sum so borrowed, or so much thereof as may be necessary, shall be and the same is hereby appropriated to defray the expenses which may be incurred, under the provisions of this act: *Provided*, That no certificate of loan, or bond, shall be issued for a less sum than one hundred dollars: *Provided further*, That no certificate shall be negotiated for less than its par value; and there shall be inscribed on the face of said certificates of loan, or bonds, that the debt thereby secured was contracted to repel invasion and defend the state in war, and to be transferable on the books of the

Certificates of loan, or bonds, to be issued.

How money borrowed to be appropriated.

Limitation.

No certificate to be negotiated for less than par.

commonwealth, at the Farmers' and Mechanics' Bank, in the city of Philadelphia: *Provided further*, That the governor and state treasurer are hereby authorized to use, for the purpose of this act, temporarily, any funds in the state treasury, not immediately required, or, if necessary, to make a temporary loan, to be re-paid from the proceeds of the permanent loan hereby authorized.

SECTION 2. That the bonds, or certificates of loan, issued under the provisions of this act, shall be signed by the governor, and countersigned by the state treasurer and auditor general, and a correct and accurate registry of the same shall be kept, in a book to be provided for that purpose, in the office of the auditor general, who shall make annual report thereof to the legislature; and the governor is hereby authorized to draw warrants on the state treasurer, for such sums as may be necessary to pay the proper expenses, incident to the negotiation of such loan, the preparation of the bonds, or certificates of loan, authorized to be issued by this act, and said warrants shall be paid out of any moneys in the treasury.

SECTION 3. That the governor be and he is hereby authorized, by and with the advice and consent of the Senate, to appoint a competent person, of military education, experience and skill, to have command of all the militia forces of Pennsylvania, to be raised under the provisions of this act, with the rank of major-general, who, while in actual service, shall be entitled to the pay and emoluments of a major-general in the army of the United States; and he shall also have authority, in manner as aforesaid, to appoint two persons, of like military education, experience and skill, to be brigadier generals, who, while in actual service, shall be entitled to the pay and emoluments of officers of the same rank in the army of the United States: *Provided however*, That such general officers shall not be appointed, or assigned to duty, by the commander-in-chief, except when the forces, herein provided for, shall have been called into actual service, in sufficient strength to require such officers.

SECTION 4. That whenever the military force, provided for in this act, shall be called into service by the governor of the commonwealth, it shall be the duty of the adjutant general to notify, in writing, the quartermaster general and the commissary general, of the point, or points, where the men are to rendezvous, with the number, as near as may be; and said officer shall forthwith advertise for proposals for supplying to the commonwealth such supplies, ordnance and ordnance stores, as may be necessary for furnishing the troops aforesaid, as are provided by the laws or regulations of the United States; said proposals to be directed to the said commissary general and quartermaster general, respectively, and to be opened after five days' notice, and the contracts to be awarded to the lowest bidder, by the proper officer inviting said proposals, and adequate security to be taken for the faithful performance of the contract, before the same is awarded; and said officers shall publish and keep on file, in their several departments, for public inspection, a list of all the proposals offered, including those rejected, as well as those awarded, and before

Transferable.  
Proviso.

Temporary loan  
may be made.

Bonds to be  
signed by go-  
vernor, &c.

Registry there-  
of to be kept,  
and report  
made, by audi-  
tor general.

Expenses of ne-  
gotiating loan,  
&c., how to be  
paid.

Governor to ap-  
point a major  
general and  
two brigadier  
generals.

Proviso.

Adjutant gen-  
eral to notify  
quartermaster  
and commissary  
generals of the  
points of  
rendezvous, &c.

Proposals for  
supplies, &c.,  
relative to.

Opening of pro-  
posals, and  
award of con-  
tracts.

List of propo-  
sals to be filed.

the acceptance of any supplies, ordnance, ordnance stores, or other military stores, of any kind whatsoever, purchased upon contract, as hereinbefore provided, it shall be the duty of the quartermaster general, or commissary general, as the case may be, in connection with the auditor general and state treasurer, to appoint, from time to time, as required, one, or more, disinterested and competent inspectors, familiar with the value and quality of the supplies, ordnance, ordnance stores, or other military stores, so contracted for, whose duty it shall be to examine and accept, or reject, the same, and if accepted, to give a certificate thereof to the contractor, or vendor; and no bill, rendered for any such supplies, ordnance, ordnance stores, or other military stores, shall be paid until so certified and approved; the inspectors, so appointed, shall each receive five dollars per day, for every day necessarily employed in the discharge of their duties, and shall severally be sworn, or affirmed, to discharge their duties with fidelity: *Provided*, That the quartermaster general and commissary general shall respectively have authority, if practicable, to obtain the supplies, ordnance and ordnance stores, or other military stores, or any part thereof mentioned in this section, from the United States government, paying them, if required, the cost prices thereof: *Provided further*, That the commissary general shall have power to purchase direct, when actually necessary, and when there is not time to advertise for contracts, all commissary stores actually needed for the troops: *Provided*, That no more than the actual cash price shall be paid for any article purchased.

**SECTION 5.** That the governor of the commonwealth is hereby authorized and empowered to organize a military corps, to be called the Pennsylvania State Guard, to be composed of fifteen regiments, in due proportion of cavalry, infantry and artillery, or such portion thereof as he may deem necessary; the said regiments shall severally be composed of companies of like number, and to be armed and equipped, clothed, disciplined, governed, and paid, while in actual service, as similar troops in the service of the United States, and shall be enlisted in the service of the state for a period not exceeding three years, unless sooner discharged, and shall be liable to be called into the service of this state, at such times as the governor of the commonwealth may deem their services necessary, for the purpose of suppressing insurrections, or repelling invasions; and the governor shall appoint all the regimental officers, and the companies shall have the right to elect the company officers, and said major general and brigadier generals, and all regimental and company officers, shall be citizens of this commonwealth: *Provided*, That such portions of the said corps, as shall be called into actual service, shall be supplied and provided with ordnance and ordnance stores, as provided for in this act, but when not called into actual service, such supplies, ordnance and ordnance stores shall be withheld, until required.

**SECTION 6.** The governor of the commonwealth is hereby authorized to provide the necessary hospital arrangements, camps of instruction, arms and accoutrements, garrison and

Inspectors to be appointed.

Their duties and compensation.

Supplies, &c., may be obtained from the United States government.

Commissary general may purchase direct, when necessary  
Proviso.

Organization of a military corps, to be called the Pennsylvania State Guard, authorized.

How to be composed, armed, equipped, paid, officered, &c.

Supplies, &c., relative to.

camp equipage, transportation, and all things necessary for the arming and equipping and putting into service, subsistence when in service, quartermaster's, commissary and ordnance stores of the said Pennsylvania State Guard, and to make and adopt all needful rules and regulations, to take and use horses for cavalry and artillery service, for which full compensation shall be made, within six months after the taking of the same, and the person, by whom the same shall be taken, shall exhibit to the owner thereof his authority for such seizure, and shall at the time give to the owner a certificate stating the number of horses taken, and the time when, and by whom, and the service for which the same are required, and such supplies as in his judgment may be necessary, and to seize such railroads and other means of transportation as the exigencies of the case may demand.

SECTION 7. The governor of the commonwealth is also hereby authorized and empowered to cause to be made an immediate enrolment and classification of the militia of the commonwealth; and it shall be his duty to call and keep in service, as long as he may deem necessary, from the body of the said militia, or from such portions of the commonwealth as he may deem necessary, the said Pennsylvania State Guard, by volunteering, or draft: *Provided*, That any persons, who may be deemed by the board of examination able to do military duty, may be received as volunteers in the regiments, provided to be raised by this act, without reference to age.

SECTION 8. That if practicable, until the time fixed by law for making the enrolment of the militia of the commonwealth, the governor is authorized and empowered to organize the military force, authorized by this act, on the basis of the enrolment made in the several districts of the state, by the enrolling officers of the general government, but if impracticable, the governor is hereby directed to cause an immediate enrolment, of the militia of the commonwealth, to be made as provided for in the act to which this is a supplement; that when the assessors refuse or neglect to enter upon the performance of the duties of enrolling the citizens of their respective districts, for a period of five days after being notified of their duty, the governor shall appoint a competent person, or persons, to make the enrolment; it shall be the duty of the governor to appoint one competent citizen, in each county, who shall be a physician, who, in connection with the county commissioners, or city commissioners, shall constitute a board, three of whom, the physician being one, shall make a quorum, with power to determine who are exempt from enrolment, under this act, and the act to which this is a supplement; and it shall be the duty of the enrolling officer to give notice, by publication in a newspaper of the county, of the times at which such application shall be heard, and to notify said board when they will be required to hear such applications; that all other duties, in reference to the enrolment, shall be performed as directed in the act to which this is a supplement, and that the physician, so appointed to hear and decide on applications for exemption, shall receive for each and every day so employed, the sum of five dollars, and the county commis-

Governor authorized to provide hospital arrangements, camps of instruction, arms, camp equipage, &c.

Seizure of horses for cavalry and artillery service, relative to.

Railroads.

Enrolment and classification of militia to be made.

State Guard, how to be formed.

Proviso.

Military force may be organized, on the basis of the enrolment made, or an immediate enrolment may be ordered.

Refusal or neglect of assessors to discharge duties, relative to.

Physician, appointed by governor, and county or city commissioners, to constitute a board.

Their duties and compensation.

Governor authorized to make and enforce all necessary orders.

sioners, or city commissioners, the sum of three dollars per diem, to be paid out of the state treasury; that the governor shall have authority to make and enforce all orders, which may, in his judgment, be necessary to carry out the provisions of this act, and to effect a speedy enrolment and organization of the militia of this commonwealth.

Quartermaster general may sell unserviceable ordnance belonging to the state.

SECTION 9. That the quartermaster general be and he is hereby authorized to sell any unsuitable or unserviceable ordnance belonging to the state, the proceeds of which shall be paid into the state treasury, and applied, if deemed necessary by the commander-in-chief, in addition to the appropriation above named, towards the purchase of ordnance and ordnance stores.

How assessors to be paid.

SECTION 10. That where the brigade fund of the county is not sufficient to pay the assessors, as provided by the third section of the act to which this is a supplement, the said assessors shall be paid by the several cities and counties, in which such assessment is made.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-second day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 862.

## An Act

To authorize the chief burgess and town council of the borough of York to borrow money to pay losses sustained by citizens of said borough, in money and property, by reason of the rebel invasion of said borough, in June, Anno Domini one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the chief burgess and town council of the borough of York be and they are hereby authorized and empowered to borrow, on the credit of said borough, any sum or sums of money, not exceeding forty thousand dollars, and to issue bonds, or certificates of indebtedness, therefor, under the corporate seal of said borough of York, attested by the chief burgess and town clerk, for the time being, in sums of not less than fifty dollars each, payable at the expiration of twenty years, from the date of issue, and redeemable at the option of



said borough, at any time after five years from said date of issue, at a rate of interest not exceeding six per centum per annum, which interest shall be payable annually to the holder, or holders, of such bond, or bonds, certificate, or certificates; and the said chief burgess and town council shall have authority, and they are hereby authorized, from time to time, and as often as the same may be necessary, to raise by taxation, in the manner pointed out by existing laws for that purpose, such sum, or sums of money, as will be necessary to pay the principal and interest, or the interest alone, of said bond, or bonds, certificate, or certificates: *Provided*, That such money, when borrowed, shall be applied to the payment of such claims for losses, sustained by citizens of said borough, in money and property, by reason of the rebel invasion of said borough, in June, one thousand eight hundred and sixty-three, and claims for clothing, et cetera, delivered, and money paid, under the requisition made upon said borough by the invading army, and to protect said citizens and their property from the violence of enforcing said requisition by military power, as shall be approved by said burgess and town council, or by a committee of the board, which may be appointed for that purpose.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-second day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 863.

## An Act

Enabling the banks of this Commonwealth to become associations for the purpose of banking, under the laws of the United States.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That any bank, incorporated, or organized, by authority of this commonwealth, which shall become an association for carrying on the business of banking, under the laws of the United States, shall be deemed to have surrendered its charter, if it shall have complied with the requirement of this act: *Provided*, That every such bank shall, nevertheless, be continued a body corporate, for the term of three years after the time of

Banks of this state may become associations for banking, under the laws of the United States.

Surrender of charter, relative to.

such surrender, for the purpose of prosecuting and defending suits, by and against it, and of enabling it to close its concerns, and to dispose of and convey its property, but not for the purpose of continuing, under the laws of this commonwealth, the business for which it was established.

When a bank has voted to become such an association, cashier to publish notice, &c.

SECTION 2. When a bank, at a meeting of the stockholders, has voted to become such association, and its directors have procured the authority of the owners of two-thirds of the capital stock, to make the certificate required therefor, by the laws of the United States, the cashier shall publish notice thereof, for thirty days, in such newspaper as the meeting of the stockholders may direct, and send like printed notice by mail, or otherwise, to each stockholder.

State treasurer to be notified of such election.

SECTION 3. Every such bank shall make, and notify, to the state treasurer, its election to become an association, as aforesaid, on, or before, the first day of January next; and before being entitled to the privileges of this act, shall surrender to the state treasurer the specie certificates of exchange, received for loans in coin, from said bank, to the commonwealth, under the act, entitled "An Act to provide for the payment of the interest on the state debt," approved the thirtieth day of January, eighteen hundred and sixty-three, together with the interest, which may have accrued thereon; and any of said banks, which shall not have received for loans in coin, by such bank, to the commonwealth, any of said specie certificates, before being entitled to the privileges of this act, shall pay into the treasury of the state, in the manner and at the rate, now required by the twenty-first section of the act of April sixteenth, Anno Domini one thousand eight hundred and fifty, for the payment of tax on bank dividends, a tax on the full amount of all accrued profits, surplus funds, contingent fund, or profit and loss, of such bank, under what name, or account, soever, the same may be classed and arranged, as if such accrued profits had been divided, on the day for declaring dividends by said bank, next before the first day of January, aforesaid.

Specie certificates of exchange, received by banks, for loans in coin, to be surrendered.

Banks, which have not received such certificates, to pay a tax on all accrued profits, &c.

Votes.

SECTION 4. At a meeting of the stockholders of any such bank, as aforesaid, each stockholder shall be allowed to cast one vote for every share of such capital stock, held by him, or her, on the question whether, or not, the said bank shall become such an association, as aforesaid, for carrying on the business of banking, and of exercising the powers conferred by this act; and every stockholder, who is absent, may vote by proxy, made at any time after this act shall become a law; and any executor, administrator, or trustee, holding any such share, or shares, of such capital stock, may vote personally, or by proxy, without incurring any responsibility by such vote.

Proxies.

Executors, trustees, &c., relative to.

Courts to appoint auditors to determine the market value of shares.

SECTION 5. The court of common pleas, of the proper county, is authorized to ascertain and determine, by the appointment of one, or more, auditors, not exceeding three, and shall certify, to the president and directors of said bank, what was the fair market value of the shares of such bank, at the time of paying the last dividend; and if, within said thirty days, any stockholder, who has not joined in giving such authority, notifies, in writing, the president, or cashier, of his desire to surrender

his stock, upon receiving the value thereof, as so determined, such bank shall, within thirty days thereafter, pay such stockholder for his shares, according to such valuation, with interest, from the time of paying said dividend, upon his surrendering his shares: *Provided*, That notice shall be given of the time of meeting of the auditor, or auditors, appointed under the provisions of this section, in one or more newspapers, of the proper county, directed to the president, directors and stockholders, of such bank.

Banks to pay stockholders surrendering stock, according to such valuation.

Notice of meeting of auditors to be given.

SECTION 6. When, in adjusting the shares of stock of any stockholder, in a bank surrendering its charter under the provisions of this act, to the value of the shares of an association for banking, under the laws of the United States, there shall be fractional shares of the stock of such surrendering bank, the value of such fractional shares shall be taken to be the same as shall have been ascertained to be the value of the shares of refusing stockholders, in said bank; and in case there shall be no refusing stockholders, then the value shall be ascertained in the manner directed in relation to refusing stockholders; and upon the payment of such value, with like interest, as is directed to be paid to refusing stockholders, the owner of such fractional shares shall deliver the certificate thereof, and transfer said fractional shares to such bank: *Provided*, That the directors of the bank, and such stockholder, may agree upon a sum as the value of such fractional shares, and the payment thereof shall have the same effect as if the value had been ascertained in the mode hereinbefore mentioned.

Value of fractional shares of stock, how to be ascertained.

Proviso.

SECTION 7. The capital stock of such bank shall be reduced to the extent of the par value of the shares so surrendered, and may be further reduced to any amount fixed by authority of the owners of two-thirds the capital stock, by purchase and cancellation of shares, by reducing the par value of each share, or by both methods, as the directors may determine: *Provided*, That such bank may, if it deems it expedient, instead of reducing its capital stock, to the amount so appraised, dispose of the same to any person, or persons, at the par value thereof, without any reduction of capital.

Reduction of capital stock, relative to.

Proviso.

SECTION 8. When the charter of any bank is surrendered, under the provisions of this act, the members of the board of directors, last in office, shall forthwith deliver up all their plates and dies, to the court of quarter sessions, in the county in which the bank has been established, and the court shall cause them to be disposed of, in such manner as shall be deemed expedient, in order to prevent their use for any unlawful purpose; the members of the board, who wilfully refuse, or neglect, so to do, shall be deemed guilty of a misdemeanor, and severally punished, on conviction, in the proper court, by a fine, not exceeding five hundred dollars.

Directors of banks, surrendering charters, to deliver to courts all their plates and dies.

Penalty for refusal or neglect.

SECTION 9. No such bank shall re-issue any of the notes for circulation, issued by it during its existence, under the laws of this commonwealth, for more than one year after the time of filing the notice provided for in the second section of this act.

Prohibition as to re-issue of notes.

SECTION 10. The bank tax imposed by the laws of this commonwealth, shall be paid by such bank, up to the date of its

Payment of tax to state, relative to.

becoming such association, in proportion to the time, since the next preceding payment therefor.

Auditor general to certify to governor, when banks have become associations, under laws of the United States.

SECTION 11. When a bank furnishes, to the auditor general, satisfactory evidence, by the oaths, or affirmations, of the president and cashier, and by the exhibition of its books, or otherwise, that all the requirements of this act have been complied with, in relation to such bank, and that it has become a banking association, under the laws of the United States, the auditor general shall certify the facts to the governor, who shall cause notice thereof to be published in some newspaper in the county where such bank is located, at least for three weeks; and the charter of the bank shall, thereupon, be deemed to be surrendered, subject to the provisions of the first section of this act.

Upon surrender of charter, all assets to be vested in association formed.

SECTION 12. When the charter of said bank shall be surrendered to the commonwealth, under the provisions of this act, all the assets, real and personal, of the said bank, shall immediately, by act of law, and without any conveyance, or transfer, be vested in and become the property of the said association, for carrying on the business of banking, formed as aforesaid.

Liabilities incurred, relative to.

SECTION 13. Nothing in this act shall be construed, as releasing such association from its obligation to pay and discharge all the liabilities incurred by the bank, before becoming such association.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-second day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 864.

## A Supplement

To an act to provide for the payment of Bounties to Volunteers, in the county of Butler.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if the board of school directors, or a majority of them, in any of the townships, or boroughs, of said county, shall neglect, or refuse, to levy and collect a tax, under the provisions of the first section of the act, to which this is a sup-

plement, and a majority of the qualified electors of any of the said townships, or boroughs, shall have petitioned the said directors in favor of said taxation, then the court of common pleas of said county shall, on petition of any ten of said electors, and upon due proof of all the facts, have power to proceed by *mandamus*, to compel the said board of directors to discharge the duties imposed upon them by this act, and the act to which this is supplementary.

In case of neglect, or refusal, of school directors to levy a tax, court shall, upon petition, compel by *mandamus*.

SECTION 2. That if any of said boards of school directors, or a majority of them, shall neglect, or refuse, to levy and collect a tax, under the provisions of the third section of said act, then, on due proof of all the facts in the case, the court aforesaid shall have power to proceed, by *mandamus*, to compel the said defaulting boards of directors to discharge the duties so imposed upon them by said act.

Refusal to levy tax for re-payment of subscriptions, loans, &c., relative to.

SECTION 3. That the word "taxable," in the second section, and the words, "understanding or," in the third section, and all after the word "wherever," in the sixth section, are hereby stricken out of said act, to which this is a supplement.

Certain sections amended.

SECTION 4. The said boards of school directors, in making the exonerations and exemptions, provided by the act, to which this is a supplement, shall exonerate and exempt the property of all persons, who have lost two or more sons in the service; also, the property of those who now have two or more sons in the service, without having received any local bounty; also, the property of all widows and families, whose husbands, or fathers, have fallen in battle, or died in the service.

Exemptions.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-second day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 865.

## An Act

Relating to the Banks of the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That such of the banks of this commonwealth, whose charters

have been renewed, or extended, since the first Tuesday of January, one thousand eight hundred and sixty-four, and which have not already signified their acceptance, or refusal, of such renewal, or extension, of their charters, shall be and they are hereby authorized to call meetings of their stockholders, on, or before, the day of their regular meeting of stockholders, in November next, for the purpose of determining whether they will accept, or refuse to accept, the renewal, or extension, of their respective charters aforesaid, and to file a certificate of their acceptance, if they shall accept the same, with like effect as if heretofore done.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 866.

## A Supplement

To an act, entitled "An Act to authorize the Governor to incorporate the Philadelphia and Reading Railroad Company," and its several supplements.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the Philadelphia and Reading Railroad Company shall have power to straighten and widen their railway, or to construct additional tracks upon the same, and with the consent of the proper corporation, owning the same, to straighten and widen, or construct additional tracks upon, any of the several railways now held by them under lease: *Provided*, That the said railways, as straightened, or widened, shall not be more than five rods wide, except at points for depot and engine stations, where, if necessary, they may be twelve rods in width; and for the purposes above mentioned, the said company shall have power, for themselves, with reference to their own road, and in the name and on behalf of the respective corporations owning the same, with reference to the several roads leased by them, to enter upon, occupy and hold, any lands, in the manner provided by the act of the nineteenth day of February, Anno

Domini one thousand eight hundred and forty-nine, entitled "An Act regulating railroads;" and all damages, for the entry upon and occupation of any lands, as well for the purposes herein mentioned, as for the extension and construction of any lateral railroads, or branches, hereafter to be built by the said company, or by any of the corporations, whose railroads are leased to the same, shall be ascertained and adjusted, in the manner provided by the said act: *Provided always*, That nothing in this supplement contained shall be used, or construed, to disturb, or alter, or change, the connection of any railways with the works of the Schuylkill Navigation Company, without the consent of said company, or with any of the rights, privileges, locations, tracks, turn-outs, sidings and connections, of the East Pennsylvania Railroad Company.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 867.

## An Act

To authorize the townships and boroughs of Venango county to pay Bounties to Volunteers, in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if the county commissioners of Venango county neglect, or refuse, to pay bounties to volunteers, under any call now made, or that may hereafter be made, by the President of the United States, it shall be lawful for the road commissioners, or school directors, of any township, or borough, in said county, to borrow money, or issue bonds, for the payment of bounties to volunteers, who shall be mustered into the naval, or military, service of the United States, of not more than three hundred dollars to each volunteer, and to levy a tax for the payment of the same; which tax shall be levied, collected and disbursed, in accordance with the provisions of a supplement to an act to legalize and provide for the payment of bonds issued as bounties to volunteers by the county commis-

sioners of Venango county, approved May fourth, Anno Domini one thousand eight hundred and sixty-four.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-third day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 868.

## A Further Supplement

To the act for the organization, discipline and regulation, of the Militia of the Commonwealth of Pennsylvania, approved May fourth, one thousand eight hundred and sixty four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Governor authorized to appoint a paymaster.

That the governor is hereby authorized to appoint a paymaster, who shall give the same security, and perform the same duties, as are required of paymasters in the military service of the United States, and hold the rank, and receive the pay, of major, when in actual service.

Selection of officers of State Guard, relative to.

SECTION 2. That the officers of the Pennsylvania State Guard, whether regimental, or line, shall be selected, with regard to fitness and experience, from the soldiers who have been in service, under the national flag, in the present war.

Charters of special military organizations, &c., relative to.

SECTION 3. That nothing in the act, to which this is a supplement, shall be construed as repealing the charters of special, uniformed, military organizations, in the city of Philadelphia, or elsewhere, or as invalidating the commissions held by the officers of said organizations, or in any way interfering with their chartered rights and vested immunities: *Provided*, That such organizations shall be, in all things, subject to the orders of the commander-in-chief, and the provisions of this act, and the act to which this is a supplement.

Proviso.

SECTION 4. That any person, enrolled under the provisions of the act to which this is a supplement, or organized under the third section of this act, and duly notified to appear, for the purpose of parade, inspection, drill, or encampment, and refusing, or neglecting, so to appear, shall be subject to a fine of five dollars for each offence; and the names of all such delinquents shall, within six days after hearing excuses, as provided for in the ninety-sixth section of the act, to which this is

Fine for refusal, or neglect, to appear for parade, inspection, &c.



a supplement, be returned to the county commissioners, by the officers in command of the company to which said delinquent may belong; and, upon the receipt of such return, the said commissioners shall issue their warrant and duplicate to the proper collector, and cause the same to be collected, in the same manner that militia taxes are now, by law, collected, to be paid into the brigade fund.

Names of delinquents to be returned to county commissioners.  
Collection of fines.

SECTION 5. If any district attorney shall neglect, or refuse, to prosecute the assessors, commissioners, or clerks, who refuse, or neglect, to perform the duties enjoined upon them by the act, to which this is a supplement, he shall forfeit and pay, into the treasury of the commonwealth, a penalty of five hundred dollars, to be collected by the attorney general, in the name of the commonwealth, by due process of law.

Penalty for neglect of district attorneys to prosecute commissioners, assessors, &c.

SECTION 6. Every soldier, ordered out for active duty, or who shall volunteer, or be drafted, who does not appear at the time and place designated by the mayor, or councilmen, or county commissioners, or who has not some able-bodied and proper substitute, at such time and place, or does not furnish a reasonable excuse for such non-appearance, as provided for by the act, to which this is a supplement, shall be liable to such punishment as a court martial may determine.

Non-appearance of soldiers, when ordered out for active duty, how to be punished.

SECTION 7. The assessors, or clerks, who refuse, or neglect, to perform any of the duties required of them, or either of them, by the act to which this is a supplement, and the supplement thereto, shall forfeit and pay the sum of not less than two hundred, nor more than one thousand, dollars, to be collected by the county commissioners, and paid into the treasury of the county, and belong to the military fund of the brigade.

Penalty for neglect of duty by assessors and clerks.

SECTION 8. The appointment, of non-commissioned officers, of the militia, shall in all cases be made from the organizations, to which they are attached, and the preference shall be given to men of military abilities and experience, who have been in active service in war, or been educated for the army. If any officer of a company, or regiment, shall refuse, or neglect, to obey these requirements, he shall forfeit his commission.

Appointment of non-commissioned officers.

SECTION 9. Any commissioned officer, of the militia, or member of a volunteer company, neglecting, or refusing, to provide himself with a suitable uniform, shall forfeit, if an officer, his commission, and if a non-commissioned officer, or private, of a volunteer company, the sum of twenty five dollars, to be collected by the county commissioners, and paid into the brigade fund of the county.

Penalty for neglect of officers, or privates, to provide themselves with uniforms.

SECTION 10. That it shall be the duty of the commander-in-chief, to cause all the enrolled militia of the commonwealth, to be organized, and officered, in like organizations, as is provided in the act, to which this act is a supplement, relative to volunteer militia, and shall, by general orders, require said militia, to parade for inspection and drill, by companies, at least three times in each year, and by regiments, at least twice a year, and on failure to perform such military duty, each commissioned officer shall be subject to a fine of five dollars, and each non-commissioned officer, and private, to a fine of three dollars per day, for each day on which they shall fail to attend said parade.

All the enrolled militia to be organized and officered, and to parade for inspection and drill, by regiments and companies.  
Fines.

Amount allow- SECTION 11. Each member of a volunteer company shall be  
ed for uniform. entitled to the sum of six dollars, for furnishing himself with  
the proper uniform, to be paid out of the brigade fund.

Repeal. SECTION 12. That so much of the act, to which this is a sup-  
plement, as is altered, or supplied hereby, or by the supple-  
ment to the said act, approved August twenty-second, one  
thousand eight hundred and sixty-four, or such parts thereof,  
as are inconsistent herewith, be and the same are hereby re-  
pealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of August, Anno Domini  
one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 869.

## A Supplement

To an act relating to the payment of Bounties to Volunteers, approved  
the twenty-fifth day of March, one thousand eight hundred and sixty-  
four.

Preamble.

WHEREAS, Doubts have arisen as to the authority of town-  
ship, borough and ward authorities, respectively, to make, or  
contract, loans, for payment of bounties to volunteers, or to  
levy and collect taxes, for the payment of loans made, for  
paying bounties to volunteers; under the provisions of the act  
to which this is a supplement; therefore,

The authorities  
of cities, town-  
ships, bor-  
oughs, &c.,  
may contract  
loans and levy  
taxes, in case  
the commis-  
sioners neglect,  
or refuse, to do  
so.

SECTION 1. *Be it enacted by the Senate and House of Represen-  
tatives of the Commonwealth of Pennsylvania in General Assem-  
bly met, and it is hereby enacted by the authority of the same,*  
That in all cases, when by virtue of the provisions of said act,  
the county commissioners are authorized to contract loans, for  
paying bounties to volunteers, and to levy taxes for the re-  
payment of such loans, but neglect, or refuse, so to do, the re-  
spective cities, townships, wards and boroughs, of such county,  
by their authorities, or board of election officers, in said act  
named, shall have full power to contract loans, to pay boun-  
ties to volunteers, and to levy taxes for the re-payment of  
such loans, as fully, to all intents and purposes, as the said  
county commissioners might, or could, have done, under the  
provisions of said act; and all proceedings taken, or had, by  
any township officers, or authorities, or board of election offi-  
cers, as in said act named, for the purpose of contracting loans,

and all loans contracted by them, to pay bounties to volunteers, and all taxes levied by them to re-pay such loans, under the provisions of the act to which this is a supplement, are hereby legalized and made valid, as fully, as if said act had clearly conferred authority upon said officers for that purpose; and that in case the commissioners of any county shall neglect, or refuse, to raise the full amount of bounty, authorized by the sixth section of the act to which this is a supplement, then, and in that case, it shall and may be lawful for the authorities of any city, borough, township, and ward aforementioned, to borrow such sum, or sums, of money, and levy and assess taxes for the payment thereof, as will be sufficient, when added to the amount raised by the said county commissioners, to pay a bounty, not exceeding three hundred dollars, to each non-commissioned officer and private soldier, who may have volunteered, or who may hereafter volunteer and enter the service of the United States, for said several sub-districts, and be credited to the respective quotas thereof, in pursuance of the existing, or any future, requisition of the President of the United States, or any law of the United States, now or hereafter to be made

Proceedings taken, or had, by such authorities, in relation thereto, legalized.

May borrow money and levy taxes, where the commissioners fail to raise the full amount of bounty.

SECTION 2. That whenever a majority of the citizens of any ward, borough, or township, have borrowed money, to procure volunteers, under the late requisition of the President of the United States, with the understanding, or agreement, that it should be re-paid by taxes, the constituted authorities, or board of election officers thereof, as the case may be, are hereby required to assess such amount of taxes, under the provisions of the act, to which this is a supplement, as will cover the same: *Provided*, That the sum paid, as a bounty to each volunteer, shall not exceed three hundred dollars.

Authorities required to assess taxes, for the re-payment of money borrowed by citizens, in certain cases.

Proviso.

SECTION 3. If any person liable to draft, in any ward, township, or district, shall furnish, and have mustered into the service of the United States, for the term of one year, or longer, a suitable substitute, credited to the ward, township, or district; and if said substitute has received the full consideration, agreed to be paid by the person, who made the contract with him, such person, so furnishing the substitute, as aforesaid, shall be entitled to receive the amount of bounty from the county, city, ward, township, or district, to which the substitute may be accredited: *Provided*, That if the amount offered by such ward, township, or district, shall exceed the amount paid by the person thus procuring the substitute, then, and in that case, the difference, between the sum paid and the amount of bounty, shall be paid to said substitute.

Persons liable to draft, furnishing substitutes, entitled to receive bounty, &c.

Proviso.

SECTION 4. That the county commissioners, town council, school directors, supervisors, or board of election officers, of any county, borough, ward, school district, or township, shall not be authorized to levy and collect, in any one year, a greater tax than two per cent., on the last adjusted valuation for state and county purposes, in said counties respectively, for the payment of bounties as aforesaid.

Limitation as to tax that may be levied, in any one year.

SECTION 5. That it shall be lawful for the county commissioners, school directors, supervisors, or road commissioners, city, borough, or ward, authorities, or board of election officers,

The levying of a *per capita* tax authorized.

Exemptions.

Proviso.

Certain counties excepted.

as the case may be, to levy and collect a *per capita* tax, on all male taxable inhabitants, in said county, city, borough, ward, or district, respectively, not exceeding five dollars each, in any one year: *Provided*, That non-commissioned officers and privates, in the actual service, in the army and navy of the United States, from this commonwealth, or who were permanently disabled, in such service, and the property of widows, and minor children, and widowed mothers, of non-commissioned officers, or privates, who died in such service, shall be exempted from taxation, under the provisions of this act: *Provided*, That the counties of Westmoreland and Fayette shall be excepted from the operations of this section: *Provided further*, That the provisions of this act shall not extend to the counties of Butler, Venango, Berks, Bucks, Erie, or Tioga.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 870.

## An Act

To provide additional Revenue for the use of the Commonwealth.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president, treasurer, cashier, or other financial officer of every railroad company, steamboat company, canal company, and slackwater navigation company, and all other companies now, or hereafter, doing business within this state, and upon whose works freight may be transported, whether by such company, or by individuals, and whether such company shall receive compensation for transportation, for transportation and toll, or shall receive tolls only, except turnpike companies, plank road companies, and bridge companies, shall, within thirty days, after the first days of January, April, July and October, of every year, make return, in writing, to the auditor general, under oath, or affirmation, stating fully and particularly, the number of tons of freight carried over, through, or upon the works of said company, for the three months immediately preceding each of the above mentioned days; and each of said companies, except as aforesaid, shall, at the time of

making such return, pay to the state treasurer, for the use of the commonwealth, on each two thousand pounds of freight so carried, tax at the following rates, viz: First, on the product of mines, quarries, and clay beds, in the condition in which said products may be taken therefrom, two cents. Second, on hewn timber, animal food, including live stock, also, on the product of the forest, vegetable, and other agricultural, products, the value of which has not been increased by labor, three cents. Third, on all other articles, five cents. Where the same freight shall be carried over and upon different, but continuous, lines, said freight shall be chargeable with tax, as if it had been carried but upon one line, and the whole tax shall be paid by such one of said companies, as the state treasurer may select and notify thereof; corporations, whose lines of improvement are used by others, for the transportation of freight, and whose only earnings arise from tolls charged for such use, are authorized to add the tax hereby imposed, to said tolls, and collect the same therewith, but in no case, shall tax be twice charged on the same freight carried on, or over, the same line of improvements: *Provided*, That every company now, or hereafter, incorporated by this commonwealth, whose line extends into any other state, and every corporation, company, or individual, of any other state, holding and enjoying any franchises, property, or privileges whatever, in this state, by virtue of the laws thereof, shall make returns of freight, and pay for the freight carried over, through, and upon that portion of their lines within this state, as if the whole of their respective lines were in this state.

SECTION 2. Before any of the district attorneys, of the commonwealth, shall be entitled to receive the compensation for making the examinations and reports, authorized by the seventh section of the act, relative to agencies of foreign insurance companies, and approved May twelfth, Anno Domini one thousand eight hundred and fifty-six, he shall attach to his report, under oath, or affirmation, subscribed by him, a declaration, that he has, by himself, or by some one authorized by him, for the special purpose, examined the agent, or agents, and the books of such agencies as are named in his annual report, and that, from such examinations, he is satisfied of the correctness of his said report.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 871.

**An Act**

To regulate elections by soldiers in actual military service.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Qualified electors, in actual military service, may exercise the right of suffrage.

That whenever any of the qualified electors of this commonwealth shall be in any actual military service, under a requisition from the President of the United States, or by the authority of this commonwealth, and as such, absent from their place of residence, on the days appointed by law for holding the general or presidential elections within this state, or on the days for holding special elections, to fill vacancies, such electors shall be entitled, at such times, to exercise the right of suffrage, as fully as if they were present at their usual places of elections, in the manner hereinafter prescribed, and whether, at the time of voting, such electors shall be within the limits of this state, or not; and the right of voting shall not be affected, in any manner, by the fact of the voter having been credited to any other locality than the place of his actual residence, by reason of the payment to him of local bounty by such other locality.

Polls to be opened in each company.

**SECTION 2.** A poll shall be opened in each company, composed, in whole or in part, of Pennsylvania soldiers, at the quarters of the captain, or other officer thereof, and all electors, belonging to such company, who shall be within one mile of such quarters, on the day of election, and not prevented by orders of their commanders, or proximity of the enemy, from returning to their company quarters, shall vote at such poll, and at no other place; officers, other than those of a company, and other voters, detached and absent from their companies, or in any military or naval hospital, or in any vessel, or navy yard, may vote at such other polls as may be most convenient for them; and when there shall be ten, or more, voters at any place, who shall be unable to attend any company poll, or their proper place of election, as aforesaid, the electors present may open a poll, at such place as they may select, and certify in the poll-book, which shall be a record of the proceedings at said election, substantially, in manner and form, as hereinafter directed.

Voters detached from their companies, or in hospitals, vessels, &c., relative to.

Ten, or more, voters, unable to attend a company poll, may vote at such place as they may select.

Time of opening and closing polls.

**SECTION 3.** The polls shall be opened as early as practicable on said day, and remain open at least three hours, and, if necessary, in the opinion of the judges of the election, in order to receive the votes of all the electors, they may keep the polls open until seven o'clock in the afternoon of said day; proclamation thereof shall be made at, or before, the opening of the polls, and one hour before closing them.

Three judges of election to be chosen.

**SECTION 4.** Before opening the poll, on the day of election, the electors present, at each of the places aforesaid, shall elect,

*viva voce*, three persons, present at the time, and having the qualifications of electors, for the judges of said election, and the judges, so elected, shall then appoint two of the persons present, who shall be qualified, to act as clerks of said election; and the judges shall prepare boxes, or other suitable receptacles, for the ballots. Clerks.  
Ballot boxes.

SECTION 5. Before any votes shall be received, said judges and clerks shall each take an oath, or affirmation, that he will perform the duties of judge, or clerk, (as the case may be,) of said election, according to law, and to the best of his abilities, and that he will studiously endeavor to prevent fraud, deceit, or abuse, in conducting the same, which oath, or affirmation, any of the said judges, or clerks, so elected, or appointed, may administer to each other; and the same shall be in writing, or partly written and partly printed, and signed by said judges and clerks, and certified to by the party administering the same, and attached to, or entered upon, the poll-book, and there signed and certified, as aforesaid. Oaths of officers  
and clerks, how  
administered,  
&c.

SECTION 6. All elections shall be by ballot, and the judges of elections may, and upon challenge of any voter, shall examine, under oath, or affirmation, the applicant to vote, (which oath, or affirmation, any of said judges may administer,) in respect to his right to vote, and his qualifications to vote in the particular ward, precinct, city, borough, township, or county of this state, in which he claims residence; and before receiving any vote, the judges, or a majority of them, shall be satisfied, that such applicant is a qualified voter of such place. Election to be  
by ballot.  
  
Judges to ex-  
amine, under  
oath, applicants  
to vote, as to  
their qualifica-  
tions.

SECTION 7. Separate poll-books shall be kept, and separate returns made, for the voters of each city, or county; the poll-books shall name the company and regiment, and the place, post, or hospital, in which such election is held; the county and township, city, borough, ward, precinct, or election district of each voter shall be endorsed opposite his name on the poll-books; each clerk shall keep one of said poll-books, so that there may be a double list of voters. Poll books, how  
to be kept.

SECTION 8. Each ticket shall have written, or printed, or partly written and partly printed thereon, the names of all the officers which may properly be voted for, at said election, for which the said elector desires to vote. Tickets.

SECTION 9. That the judges, to whom any ticket shall be delivered, shall, upon the receipt thereof, pronounce with an audible voice, the name of the elector, and if no objection is made to him, and the judges are satisfied that said elector is a citizen of the United States, and legally entitled, according to the constitution and laws of this state, to vote at said election, shall immediately put said ticket in the box, or other receptacle therefor, without inspecting the names of persons voted for; and the clerks shall enter the name of the elector on the poll-book of his county, ward, precinct, city, borough, or township, and county of his residence, substantially, in pursuance of the form hereinafter given. Mode of receiv-  
ing votes.  
  
Clerks to enter  
names of voters.

SECTION 10. At the close of the polls, the number of voters shall be counted and set down at the foot of the list of voters, Number of vo-  
ters to be coun-  
ted, certified,  
&c.

and certified and signed by the judges, and attested by the clerks.

How votes to be counted.

SECTION 11. After the poll-books are signed, the ballot-box shall be opened, and the tickets, therein contained, shall be taken out, one at a time, by one of the judges, who shall read distinctly, while the ticket remains in his hand, the name, or names, therein contained, for the several officers voted for, and then deliver it to the second judge, who shall examine the same, and pass it to the third judge, who shall string the vote for each county, upon a separate thread, and carefully preserve the same; the same method shall be pursued, as to each ticket taken out, until all the votes are counted

Certain tickets to be rejected.

SECTION 12. Whenever two or more tickets shall be found, deceitfully folded, or rolled together, neither of such tickets shall be counted; and if a ticket shall contain more than the proper number of names, for the same office, it shall be considered fraudulent, as to all of the names designated for that office, but no further.

Tally lists for each county to be kept.

SECTION 13. As a check in counting, each clerk shall keep a tally list for each county, from which votes shall have been received, which tally list shall constitute a part of the poll-book.

Enumeration of votes, &c., relative to.

SECTION 14. After the examination of the tickets shall be completed, the number of votes for each person, in the county poll-books as aforesaid, shall be enumerated, under the inspection of the judges, and set down as hereinafter provided, in the form of the poll-book.

Form of poll books.

SECTION 15. The following shall be substantially the form of the poll-books, to be kept by the judges and clerks of the election, filling in the blanks carefully:

Poll-book of the election, held on the second Tuesday of October, one thousand eight hundred and \_\_\_\_\_, (or other election day, as the case may be,) by the qualified electors of \_\_\_\_\_ county, (or city,) state of Pennsylvania, in company \_\_\_\_\_, of the \_\_\_\_\_ regiment of Pennsylvania volunteers, (or as the case may be,) held at (naming the place, post, or hospital,) A B, C D and E F, being duly elected as judges of said election, and J K and L M, being duly appointed as clerks of said election, were severally sworn, or affirmed, as per certificates herewith returned.

Number and names of the electors voting, and their county, city, borough, township, ward, or precinct, of residence:

No. 1, A B, \_\_\_\_\_ county of \_\_\_\_\_, township of \_\_\_\_\_.

No. 2, C D, \_\_\_\_\_ county of \_\_\_\_\_, township of \_\_\_\_\_.

It is hereby certified that the number of electors for \_\_\_\_\_ county, Pennsylvania, voting at this election, amounts to \_\_\_\_\_.

A B, } Judges  
C D, } of  
E F, } election.

Attest:

J K,  
L M, Clerks.

Form of certificate of oath of judges and clerks:

We, A B, C D and E F, judges of this election, and J K



and L M, clerks thereof, do each severally swear, (or affirm,) that we will duly perform the duties of judges and clerks of said election, severally acting as above set forth, according to law, and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, or abuse, in conducting the same.

A B,  
C D,  
E F, Judges.

J K,  
L M, Clerks.

I hereby certify, that C D, E F, judges, and J K and L M, clerks, were, before proceeding to take any votes at said election, first duly sworn, or affirmed, as aforesaid: Witness my hand this       day of       , Anno Domini one thousand eight hundred and       .

A B, Judge of election.

I certify that A B, judge aforesaid, was also so sworn (or affirmed) by me. Witness my hand, the date before written.

J K, Clerk of election.

SECTION 16. A return, in writing, shall be made in each poll-book, setting forth in words, at length, the whole number of ballots cast for each office, (except ballots rejected,) the name of each person voted for, and the number of votes given to each person, for each different office; which return shall be certified as correct, signed by the judges, and attested by the clerks; such return shall be substantially as follows:

At an election held by the electors of company       , of the regiment of Pennsylvania soldiers, at (naming the place where the election is held) there were (naming the number in words, at length)       votes cast for the office of governor, of which A B had       votes, C D had       votes; for senator,       votes were cast, of which E F had       votes, G H had       votes; for representatives,       votes were cast, of which J K had       votes, L M had       votes; and in the same manner, as to any other officers voted for.

At the end of the return, the judges shall certify, in substance, as follows, giving, if officers, their rank and number of their regiment, if privates, the number of their regiment and company, viz:

A true return of the election, held as aforesaid, on the day of       Anno Domini one thousand eight hundred and       and       .

A. B, Captain company A, one hundred and thirty-first regiment, Pennsylvania volunteers.

C. D, company A, one hundred and thirty-first regiment, Pennsylvania volunteers.

E F, company A, one hundred and thirty-first regiment, Pennsylvania volunteers.

*Attest,*

Judge of election.

J K,  
L M, Clerks.

SECTION 17. After canvassing the votes, in manner aforesaid, the judges shall put, in an envelope, one of the poll-books,

Judges to transmit one of the poll books, tally list, return and tickets, to prothonotary.

The other poll-book to be delivered to one of the commissioners, and if not called for by him, to be sent to secretary of commonwealth.

with its tally list, and return of each city, or county, together with the tickets, and transmit the same, properly sealed up, and directed, through the nearest post office, or by express, as soon as possible thereafter, to the prothonotary of the court of common pleas, of the city, or county, in which such electors would have voted, if not in the military service aforesaid, (being the city or county for which the poll-book was kept,) and the other poll book, of said city, or county, enclosed in an envelope, and sealed as aforesaid, and properly directed, shall be delivered to one of the commissioners, hereinafter provided for, if such commissioner calls for the same in ten days, and if not so called for, the same shall be transmitted by mail, or by express, as soon as possible thereafter, to the secretary of the commonwealth, who shall carefully preserve the same, and on demand of the proper prothonotary, deliver to said prothonotary, under his hand and official seal, a certified copy of the return of votes, so transmitted to, and received by, him, for said city, or county, of which the demandant is prothonotary.

Prothonotaries to deliver to return judges a certified copy of returns.

SECTION 18. It shall be the duty of the prothonotary of the county, to whom such returns shall be made, to deliver, to the return judges of the same county, a copy, certified under his hand and seal, of the return of votes, so transmitted to him by the judges of the election, as aforesaid, or as officially certified by the secretary of the commonwealth, as aforesaid, to said prothonotary.

Meeting of return judges.

SECTION 19. The return judges, of the several counties, shall adjourn to meet at the places, now directed by law, on the third Friday, after any general or presidential election, for the purpose of counting the soldiers' vote; and when two or more counties are connected in the election, the meeting of the judges, from each county, shall be postponed, in such case, until the Friday following.

Their duties.

SECTION 20. The return judges, so met, shall include, in their enumeration, the votes so returned, and thereupon shall proceed, in all respects, in the like manner as is provided by law, in cases where all the votes shall have been given at the usual place of election: *Provided*, That the several courts of this commonwealth shall have the same power and authority, to investigate, and determine, all questions of fraud or illegality, in relation to the voting of the soldiers, as are now vested in said courts, with regard to questions of fraud and illegality, arising from the voting of persons, not in military service, under the present laws relating thereto.

Courts to determine all questions of fraud, or illegality.

Duty of the secretary of the commonwealth, in reference to returns for presidential electors.

SECTION 21. In elections for electors of President and Vice President of the United States, it shall be the duty of the secretary of the commonwealth, to lay before the governor all returns, received by him, from any election, as aforesaid, who shall compare the same with the county returns, and add thereto all such returns as shall appear, on such comparison, not to be contained in said county returns, in every case, where said military returns, for such counties, shall have been received by said secretary, at a period too late for transmitting them to the proper prothonotary, in time for the action of the judges of the said counties.

SECTION 22. All said elections shall be subject to contest, in the same manner as is now provided by law; and in all cases of contested elections, all legal returns, which shall have been *bona fide* forwarded by said judges, in the manner hereinbefore prescribed, shall be counted and estimated, although the same may not have arrived, or been received by the proper officers, to be counted and estimated, in the manner hereinbefore directed, before issuing the certificates of election, to the persons appearing to have a majority of the votes then received, and the said returns shall be subject to all such objections, as other returns are liable to, when received in due time. Contested elections, relative to.

SECTION 23. It shall be the duty of the secretary of the commonwealth to cause to be printed a sufficient number of copies of this act, with such extracts from the general election law, as shall be deemed important to accompany the same, and blank forms of poll-books, with tally lists and returns, as prescribed in this act, which, with the necessary postage stamps, to defray expenses and postage on returns, shall, in sufficient time, before any such election, be forwarded, by said secretary, at the expense of the commonwealth, by commissioners, or otherwise, as shall be deemed most certain to insure delivery thereof, to the captain, or commanding officer, of each company, or in case of detached voters, to the officer having charge of the post, or hospital, who shall retain the same until the day of election, and then deliver the same to the judges elected, as provided in this act: *Provided*, That no election shall be invalidated, by reason of the neglect, or failure, of the said secretary to cause the delivery of said poll-books to the proper persons, as aforesaid. Duties of the secretary of the commonwealth. Proviso.

SECTION 24. That for the purpose of more effectually carrying out the provisions of this act, the governor shall have power to appoint and commission, under the great seal of the commonwealth, such number of commissioners, having the qualifications of an elector, in this state, as he shall deem necessary, not exceeding one to each regiment of Pennsylvania soldiers, in the service of this state, or of the United States, and shall apportion the work among the commissioners, and supply such vacancies as may occur in their number. Such commissioners, before they act, shall take and subscribe an oath or affirmation, and cause the same to be filed with the secretary of the commonwealth, to the following: "I ——— appointed commissioner, under the act to regulate elections by soldiers in actual military service, do solemnly swear, (or affirm,) that I will support the constitution of the United States, and the commonwealth of Pennsylvania, and impartially, fully and without reference to political preferences, or results, perform, to the best of my knowledge and ability, the duties imposed on me by the said act; and that I will studiously endeavor to prevent fraud, deceit and abuse, not only, in the elections to be held, under the same, but in the returns thereof." And if any commissioner, appointed by, or under, this act, shall knowingly violate his duty, or knowingly omit, or fail, to do his duty, under this act, or violate any part of his oath, or affirmation, he shall be liable to indictment for Governor authorized to appoint commissioners. Oath to be taken. Penalty for violation of same, or neglect of duty.

perjury, in the proper county, and, upon conviction, shall be punished by a fine, not exceeding one thousand dollars, or imprisonment in the penitentiary, at labor, not exceeding one year, or both, in the discretion of the court.

Duties of commissioners.

SECTION 25. It shall be the duty of such commissioners to deliver, as far as practicable, at least four of the copies of this act, and other extracts of laws, published as hereinbefore directed, and at least two blank forms of poll-books, tally lists and returns, entrusted to them, as mentioned in the twenty-third section of this act, to the commanding officers of every company, or part of company, of Pennsylvania soldiers, in the actual military, or naval, service of the United States, or of this state; and to make suitable arrangements and provision for the opening of polls, under this act; it shall also be the duty of said commissioners, as soon as practicable, after the day of election, to call upon the judges of the election, and procure one poll-book, containing the returns of the election, and safely to preserve the same, not only from loss, but from alteration, and deliver the same, without delay, to the secretary of the commonwealth.

Their compensation, how to be paid.

SECTION 26. Said commissioners shall receive, in full compensation for their services under this act, ten cents, per mile, in going to and returning from their respective regiments, estimating the distance of travel by the usually traveled route; and it is hereby made the duty of the auditor general and state treasurer to audit and pay the accounts therefor, in the same manner as other claims are now audited and paid, by law; all commanding and other officers are requested to aid the commissioners, herein appointed, and to give them all proper facilities, to enable them to carry out the design and intention of this act.

Commanding officers to give them proper facilities, &c.

Informalities not to invalidate elections.

SECTION 27. No mere informality in the manner of carrying out, or executing, any of the provisions of this act, shall invalidate any election held under the same, or authorize the return thereof, to be rejected or set aside; nor shall any failure, on the part of the commissioners, to reach or visit any regiment or company, or part of company, or the failure of any company, or part of company, to vote, invalidate any election which may be held under this act.

Powers of election officers, penalties, &c., relative to.

SECTION 28. The several officers, authorized to conduct such election, shall have the like powers, and they, as well as other persons, who may attend, vote, or offer to vote, at such election, shall be subject to the like penalties and restrictions as are declared or provided in the case of elections, by the citizens, at their usual places of election; and all of the provisions of the general election laws of this state, so far as applicable, and not inconsistent with the provisions of this act, nor supplied thereby, shall apply to all elections held under this act.

Provisions of general laws extended to.

No compensation to judges, or clerks.

SECTION 29. No compensation shall be allowed to any judge or clerk, under this act.

Sheriffs to transmit copies of proclamations to commanding officers.

SECTION 30. When the sheriff of any city or county shall issue his proclamation for an election, for a presidential, congressional, district, city, county or state election, under the laws of this state, he shall transmit, immediately, copies there-

of, to the field officers and senior captains in the service, aforesaid, from said city or county.

SECTION 31. The sum of fifteen thousand dollars, or so much thereof as may be necessary, is hereby appropriated from the general revenue, to be paid upon the order of the secretary of the commonwealth, to carry this law into effect. Appropriation.

SECTION 32. When any of the electors, mentioned in the first section of this act, less than ten in number, shall be members of companies of another state or territory, or, for any sufficient and legal cause, shall be separated from their proper company, or shall be in any hospital, navy yard, vessel, or on recruiting, provost, or other duty, whether within or without this state, under such circumstances as shall render it probable that he, or they, will be unable to rejoin their proper company, or to be present at his proper place of election, on or before the day of the elections, therein mentioned, said elector, or electors, shall have a right to vote in the following manner. Electors, less than ten in number, members of companies of another state, or separated from their companies, may vote in the manner following.

SECTION 33. The voter, aforesaid, is hereby authorized, before the day of election, to deposit his ballot, or ballots, properly folded, as required by the general election laws of this state, or otherwise, as the voter may choose, in a sealed envelope, together with a written or printed, or partly written and partly printed, statement, containing the name of the voter, the county, township, borough or ward, of which he is a resident, and a written or printed authority, to some qualified voter in the election district, of which said voter is a resident, to cast the ballots, contained in said envelope, for him, on the day of said election. Said statement and authority to be signed by the said voter, and attested by the commanding, or some commissioned, officer of the company, of which he is a member, in the case of a private, and of some commissioned officer of the regiment, in the case of an officer, if any of such officers are conveniently accessible, and if otherwise, then by some other witness; and there shall also accompany said ballots, an affidavit of said voter, taken before some one of the officers aforesaid, and in the absence of such officers, before some other person duly authorized to administer oaths, by any law of this state, that he is a qualified voter in the election district in which he proposes to vote, that he is in the actual military service of the United States, or of this state, describing the organization to which he belongs, that he has not sent his ballots to any other person or persons, than the one in such authority mentioned, that he will not offer to vote at any poll, which may be opened on said election day, at any place whatsoever, and that he is not a deserter, and has not been dishonorably dismissed from the service, and that he is now stationed at \_\_\_\_\_, in the state of \_\_\_\_\_. Said sealed envelope, containing the ballots, statement, authority and affidavit as aforesaid, to be sent to the proper person, by mail or otherwise, having written or printed on the outside, across the sealed part thereof, the words, "soldier's ballot for \_\_\_\_\_ township, (borough or ward,) in the county of \_\_\_\_\_."

SECTION 34. The elector, to whom such ballot shall be sent, shall, on the day of election, and whilst the polls of the proper

How such votes to be delivered, counted, &c. district are open, deliver the envelope, so received, unopened, to the proper election officer, who shall open the same, in the presence of the election board, and deposit the ballots therein contained, together with the envelope, and accompanying papers, as other ballots are deposited, and said board shall count and canvass the same, in the same manner as other votes cast at said election; and the person delivering the same may, on the demand of any elector, be compelled to testify, on oath, that the envelope, so delivered by him, is in the same state as when received by him, and that the same has not been opened, or the contents thereof changed, or altered, in any way, by him, or any other person.

The right of such persons to vote may be challenged. SECTION 35. The right of any person, thus offering to vote, at any such election, may be challenged, for the same causes, that it could be challenged, if he were personally present, and for no other reason or cause.

Penalty for officers refusing to receive, or electors neglecting to present, such ballots. SECTION 36. Any officer of any general, or special, election, in this state, who shall refuse to receive any such envelope, and deposit such ballots, or to count and canvass the same, and any elector who shall receive such envelope, and neglect or refuse to present the same, to the officers of the election district, endorsed on the said envelope, shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by imprisonment, in the state prison, not exceeding one year, and by fine not exceeding five hundred dollars, or either, or both, in the discretion of the court.

Penalty for false swearing. SECTION 37. Any person, who shall wilfully and corruptly make and subscribe any false affidavit, or make any false oath, touching any matter or thing provided in this act, shall be deemed guilty of wilful and corrupt perjury, and upon conviction thereof, shall be punished by imprisonment, in the state penitentiary, not exceeding five years, and by fine not exceeding one thousand dollars, or by either, or both, in the discretion of the court.

Secretary of commonwealth to furnish blank forms. SECTION 38. That it shall be the duty of the secretary of the commonwealth to prepare the necessary blank forms, to carry out the provisions of this act, and to furnish the same for the use of the persons so engaged in the military service aforesaid.

Affidavits of electors in hospitals, vessels, &c., relative to. SECTION 39. In case any qualified elector, in military service aforesaid, may be in any hospital, military or naval, or in any vessel, or navy yard, the statements and affidavits, in this act mentioned, may be witnessed by, and made before, any officer of the vessel, navy yard, or other place, in which said voter is, for the time being, engaged.

Duties of assessors. SECTION 40. It shall be the duty of every assessor, within this commonwealth, annually, to assess and return, in the manner now required by law, a county tax, of ten cents upon each and every non-commissioned officer and private, and the usual taxes upon every commissioned officer, known by them to be in the military service of the United States, or of this state, in the army; and when any omission shall occur, the omitted names shall be added, by such assessors, to the assessments and lists of voters, on the application of any citizen of the election district, or precinct, wherein such soldier might, or

would, have a right to vote, if not in such service, as aforesaid; and such non-commissioned officers, and privates, shall be exempt from all other personal taxes, during their continuance in such service; and said assessors shall, in each and every case, of such assessed soldiers, or officers, without fee, or reward, therefor, give a certificate of such regular, or additional, assessment, to any citizen of the election district, or precinct, who may, at any time, demand the same; and upon the presentation thereof, to the tax collector of said district, or the treasurer of the said county, it shall be the duty of such officer to receive said assessed tax, of, and from, any person offering to pay the same, for the soldier, or officer, therein named, and to endorse, upon such certificate, a receipt therefor; and it shall also be the duty of said collector, or county treasurer, to receive said assessed tax, from any person who may offer to pay the same, for any of said officers, or soldiers, without requiring a certificate of assessment, when the name of such persons shall have been duly entered upon the assessment books, and tax duplicates, and give a receipt therefor, to such person, specially stating, therein, the name of the soldier, or officer, whose tax is thus paid, the year for which it was assessed, and the date of the payment thereof; which said certificate and receipt, or receipt, only, shall be *prima facie* evidence, to any election board, provided for by this act, before which the same may be offered, of the due assessment of said tax, against, and the payment thereof by, the soldier, or officer, therein named, offering the same, as aforesaid; but said election board shall not be thereby precluded from requiring other proof, of the right to vote, as specified by this act, or the general election laws of this commonwealth; and if any of said assessors, collectors, or treasurers, shall neglect, or refuse, to comply with the provisions of this section, or to perform any of the duties, therein enjoined upon them, or either of them, he, or they, so offending, shall be considered and adjudged guilty of a misdemeanor in office, and shall, on conviction, be fined, in any sum not less than twenty, nor more than two hundred, dollars: *Provided*, That the additional assessments, required to be made by the above section, in the city of Philadelphia, shall be made, on application of any citizen of the election district, or precinct, thereof, upon oath, or affirmation, of such citizen, to be administered by the assessor, that such absent soldier is a citizen of the election district, or precinct, wherein such assessment is required, by such citizen, to be made.

Duties of collectors and county treasurers.

Certificates of assessment and receipt, or receipts only, to be evidence.

Penalty for neglect of duty by assessors, collectors and treasurers.

Proviso.

SECTION 41. This act shall not apply to the election of members of council, or to ward and division officers, in the city of Philadelphia. Not to apply to election of certain officers.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 872.

*An Act*

Relating to the payment of Bounties to Volunteers, in the borough of  
Freemansburg.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

All bonds, or  
certificates,  
heretofore, or  
hereafter is-  
sued for pay-  
ment of boun-  
ties, legalized.

That all bonds, or certificates of indebtedness, which have been heretofore issued, or which may hereafter be issued, during the existing rebellion, by the town council of the borough of Freemansburg, for the payment of bounties to persons volunteering to enter the military service of the United States, to the credit of the quota of the borough of Freemansburg, under any requisition of the President, and all bonds, or certificates of indebtedness, issued to secure the payment of loans made to the said borough, for the purpose of paying such bounties, are hereby legalized, and made valid and binding upon the corporation of the borough of Freemansburg: *Provided*, That such bounty shall not exceed the sum of three hundred dollars for each volunteer credited, or to be credited, as aforesaid.

Limitation.

Taxation au-  
thorized.

**SECTION 2** That in addition to taxes, which the town council of said borough are now authorized by law to assess and levy, it shall be lawful for the said town council to assess and levy taxes, for the payment of all such bonds, or certificates of indebtedness, as are authorized and legalized by this act, and that every description of property which, by certain laws, is subject to taxation for state and county purposes, shall be liable to taxation for the purposes specified in this act: *Provided however*, That the said town council may assess and levy, upon every resident male taxable, of the age of twenty-one years, a *per capita* tax, of not exceeding five dollars, and in addition thereto, a *per capita* tax, on all persons subject to draft, of not less than ten dollars, nor exceeding twenty-five dollars: *Provided*, That all persons and property, exempted by the general bounty, shall be exempted from taxation under this act.

*Per capita* tax,  
relative to.

Exemptions.

Collector to be  
appointed.

**SECTION 3.** That the said borough of Freemansburg is hereby authorized to appoint a collector, to collect said tax, within such period, and for such compensation, as the town council of said borough of Freemansburg may determine; the said collector to give bond, in such amount as they may fix, with sufficient security, to be approved by them; said collector to have the same power and authority to collect the same, as is

To give bond.



now conferred, by law, on the collector of state and county taxes.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 873.

## An Act

Relating to the payment of Bounties to Volunteers, in the county of Lebanon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all bonds, warrants, or certificates of indebtedness, issued, or to be issued, by the corporate authorities of any borough, or by the school directors, supervisors, or board of election officers of any township, in the county of Lebanon, for the payment of bounties to persons volunteering in the military or naval service of the United States, under the late requisition of the President of the United States, be and the same are hereby legalized, made valid and binding upon such boroughs, or townships, as if full and legal authority had existed for issuing and making the same.

All bonds, warrants, &c., issued, or to be issued, legalized.

SECTION 2. That the authorities aforesaid are hereby authorized to borrow money, and issue bonds, warrants, or certificates of indebtedness, in the name of said borough, or township, with or without coupons attached, payable at such times and places as may be agreed upon, and to levy such taxes as may be necessary to meet the payment of the principal and interest of said bonds, warrants, or certificates of indebtedness, as the same shall become due; which taxes and levies shall be assessed and collected, at such times and in such proportions, as said authorities shall direct.

Corporate authorities, school directors, &c., authorized to borrow money and levy taxes.

SECTION 3. That the authorities aforesaid may hereafter proceed to raise bounties, borrow money and issue bonds, as herein directed, under any future requisition for volunteers by the President of the United States: *Provided*, That no single bounty shall exceed the sum of three hundred dollars, and no bond, or certificate of indebtedness, shall be less than twenty-five dollars: *And provided further*, That a *per capita*

How taxes to be assessed and collected.

Authorized to raise bounties, &c., under future requisitions.

Limitation.

*Per capita tax, relative to.* tax of not more than one dollar may be levied and collected from all male taxable inhabitants, in the borough or township aforesaid, for the purpose hereof: *And provided further,* That in all cases, where any person, liable to draft, shall have agreed, in writing, to pay any sum of money, for the purposes of bounty, it shall be lawful for the authorities aforesaid to collect the sum so subscribed, by process of law.

*Individual subscriptions may be collected by the authorities aforesaid.* **Ten per cent. to be added to taxes assessed by county commissioners, unless paid before certain time.** SECTION 4. That to all taxes assessed by the county commissioners of Lebanon county, for bounty purposes, under authority of laws heretofore passed, there shall be added ten per centum, unless the same shall be fully paid, on or before the first day of February, one thousand eight hundred and sixty-five.

*Duties enjoined upon township authorities.* SECTION 5. That the duties enjoined upon the township authorities by this act, shall be performed, first, by the school directors, and in case of their neglect, or refusal to act, by the supervisors, and in case of their neglect, or refusal to act, by the board of election officers.

*Accounts to be audited.* SECTION 6. That all accounts of receipts and expenditures of the bounty fund, arising from any taxes that have been assessed, or that may be assessed, for the purpose aforesaid, shall be audited in like manner as other county, borough, or school district accounts are audited; and all bonds, warrants, or certificates, issued under the provisions of this act, shall be exempt from all taxation for county, borough, or township purposes.

*Bonds, &c., exempt from taxation.* SECTION 7. That in case any borough, or township, in said county, fails to complete its quota, and a draft is made therein, it shall be lawful for the borough, or township, authorities aforesaid, to pay to each man drafted and mustered into the military or naval service of the United States, or who furnish a substitute, who is mustered into the said service, and credited to said borough, or township, a sum, not exceeding three hundred dollars: *Provided,* That the payments aforesaid shall be in lieu of all claims for relief, or weekly allowances, from the county of Lebanon, or the particular borough or township therein.

*Bounty may be paid to men drafted, or who furnish substitutes.* **Proviso.**

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 874.

*An Act*

To legalize the action of the burgess and town council of the borough of Danville, Montour county, paying bounty to one hundred days' men, and to levy taxes to pay the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all certificates of indebtedness, bonds, or warrants, issued by the corporate authorities of the borough of Danville, in the county of Montour, and state of Pennsylvania, to soldiers, or for the loan of money, for the payment of bounties to persons volunteering to enter the military service of the United States, under the recent requisitions for men for one hundred days, be and the same are hereby legalized, and made valid and binding upon said borough, in the same manner, and with like effect, as if full legal authority had existed for the issuing and making the same, when they were issued.

SECTION 2. That the burgess and town council of the borough of Danville, in the county of Montour, are hereby authorized to levy and assess on all property, subjects and things, made subject to taxation for state, or county, purposes, and collect such taxes as may be necessary to meet the principal and interest of said certificates of indebtedness, bonds, or warrants; which taxes shall be collected as county, state and borough taxes are now levied and collected, including a *per capita* tax, of not more than one dollar, on each taxable male inhabitant: *Provided*, That the property of non-commissioned officers and privates, in actual service in the United States army and navy, from this commonwealth, or who died, or were permanently disabled, in such service, or having been in such service for the space of one year and six months, were honorably discharged therefrom, and the property of widows, minor children and widowed mothers of non-commissioned officers and privates, who died in such service, shall be exempted from any taxation, under the provisions of this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 875.

## An Act

To confirm the action of the town council of the borough of Tyrone, in the county of Blair, in relation to the issuing and payment of bonds, issued to secure Bounties to Volunteers.

WHEREAS, The town council of the borough of Tyrone, in the county of Blair, have issued two bonds, each for two thousand dollars, one payable in one year, from the twenty-ninth day of July, Anno Domini one thousand eight hundred and sixty-four, the other payable in two years, from the eighth day of August, Anno Domini one thousand eight hundred and sixty-four, to cover and secure bounty loans, and for the payment of bounties to volunteers; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the action of the town council of Tyrone borough, in the county of Blair, in issuing two bonds, each for two thousand dollars, one payable in one year, from the twenty-ninth day of July, Anno Domini one thousand eight hundred and sixty-four, the other payable in two years, from the eighth day of August, Anno Domini one thousand eight hundred and sixty-four, to cover and secure bounty loans, and for the payment of bounties to volunteers, shall be legalized and made valid, to all intents and purposes, as if there had been a law for said purpose, at the time of the issuing of said bonds.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 876.

**A Supplement**

To an act relating to the payment of Bounties to Volunteers, by the commissioners of Delaware county.

WHEREAS, The quota of Delaware county, under the several calls for seven hundred thousand men, made by the President of the United States, prior to July eighteenth, one thousand eight hundred and sixty-four, amounted to about nine hundred men : Preamble.

*And whereas,* The commissioners of said county paid a bounty of three hundred dollars to about nine hundred and thirty men, and announced the quota filled under the said calls :

*And whereas,* In consequence of a failure to obtain credit for the full number of men, paid as aforesaid, there existed a deficiency of one hundred and eleven men, on the said quota, for which deficiency, without any notice to the said commissioners of its existence, and without any time being allowed to fill the same by volunteering, several districts of said county were drafted :

*And whereas,* At a convention of the citizens of said county, convened for the purpose of taking steps for the relief of said drafted men, the said commissioners were instructed to pay to each drafted man, who would personally enter the service of the United States, and to each drafted man, who would furnish an acceptable substitute for the same service, the sum of three hundred dollars ; which action was taken for the purpose of equalizing the burden among the citizens, and with the understanding that application should be made to the legislature, to legalize the same, so as to protect the said commissioners :

*And whereas,* By virtue of such instruction, with the understanding aforesaid, the said commissioners have paid out the sum of eighteen thousand dollars, and some moneys are yet to be paid on the same account :

*And whereas,* Difficulty is apprehended in the auditing of the warrants for the payment of said bounties, on account of their illegality, and difficulty is also anticipated, in the auditing of the warrants for the payment of the county bounty, under the present call of the President, by reason of the credits being to sub-districts ; which payment is made in pursuance of the instruction of a county convention, convened for the purpose of taking proper action in the premises :

*And whereas,* Justice requires that the commissioners of said county should not be held personally responsible for money expended by them, in the name of the county, in good faith, and under instructions of the people of said county, in convention assembled, but that the county should be made liable therefor ; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Payments of bounties heretofore made, or hereafter to be made, to drafted men and to those who furnished substitutes, legalized.

That the payment of all bounties, heretofore made, or which may hereafter be made, by the commissioners of Delaware county, to men of said county, who were drafted into the military service of the United States, and who were duly mustered into the military service of the United States, and to those who were drafted and furnished substitutes, who were so mustered into said service, under the quota of said county, upon the calls of the President of the United States, dated, respectively, the seventeenth day of October, Anno Domini one thousand eight hundred and sixty-three, and the first day of February, Anno Domini one thousand eight hundred and sixty-four, are hereby legalized, and made valid and binding upon said county of Delaware, in the same manner, and with like effect, as if full legal authority had existed for the making of said payments, at the time such payments were heretofore made.

Commissioners authorized to pay bounties to volunteers, or principals, furnishing substitutes.

**SECTION 2.** That the commissioners of said county are hereby authorized to pay bounties to each and every volunteer, or principal, who has heretofore furnished, or may hereafter furnish, a substitute, who has been, or may hereafter be, mustered in the military, or naval, service of the United States, and credited on the quota of the pending draft upon said county, or of any sub-district thereof; and all bounties, heretofore paid by said commissioners, to such volunteers, or principals, aforesaid, are hereby legalized and made valid.

Bounties, heretofore paid to such, legalized.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 877.

## A Supplement

To an act to authorize the road commissioners of the several townships, and the burgess and town councils of the boroughs, of the county of Warren, to levy a tax for the payment of bounty to volunteers, approved April ninth, one thousand eight hundred and sixty-four.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to authorize the road commissioners of the several townships, and the burgess and town

councils of the boroughs, of the county of Warren, to levy a tax for the payment of bounty to volunteers," approved April ninth, one thousand eight hundred and sixty-four, be and the same is hereby extended to the present and all future calls of the President of the United States, for volunteers.

Provisions of certain act extended to the present and all future calls of the president for volunteers.

SECTION 2. That in all cases where the authorities, mentioned in the first section of this act, have accepted the proposition, contained in a certain resolution, or proposition, of the commissioners of said county, to furnish men to apply on the quota of said townships, or boroughs, under the last call of the President, that such acceptance be and the same is hereby legalized, and made a valid claim against said townships and boroughs, respectively, in favor of said county, to the extent of the men furnished and credited to the said townships and boroughs, respectively; and the corporate authorities, thereof, are hereby authorized to levy and collect the necessary taxes, for the payment of such indebtedness, in the same manner as is provided in the act mentioned in the first section of this act.

The acceptance, by township and borough authorities, of a certain proposition of the county commissioners, legalized, &c.

Taxes to be levied.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 878.

## An Act

Relative to tavern licenses, in the borough of Chambersburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That during the year of our Lord, one thousand eight hundred and sixty-four, licenses for the keeping of taverns, in and for the borough of Chambersburg, may be granted by the court of quarter sessions of Franklin county, at any of its regular terms, during said year; and all licenses granted by said court, at its last August term, for said borough, are hereby legalized.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 879.

*An Act*

To authorize the school directors of Cumberland township, Greene county, to levy a tax for the payment of a bounty to volunteers.

School directors  
authorized to  
levy a *per capi-*  
*ta* tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That for the purpose of enabling the township of Cumberland, in the county of Greene, to furnish the quota of volunteers required from said township, under the late call made by the President for five hundred thousand men, it shall be lawful for the school directors of said township of Cumberland, to assess and collect taxes as follows: upon all persons in said township, liable to military duty, there shall be imposed a *per capita* tax of twenty dollars each, to be paid by such persons.

Additional  
taxes may be  
imposed.

SECTION 2. In addition to the *per capita* tax, authorized by the first section of this act, it shall be lawful for the school directors of said township, to impose additional taxes, to any amount necessary, upon the real and personal estate of the taxable inhabitants of said township, and upon all other things, now made taxable by law, for state and county purposes.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 880.

*An Act*

To authorize the levying and collecting of a tax, to pay Bounties to Volunteers, in the borough and township of Brownsville, and in the borough of Bridgeport, in the county of Fayette.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*



That the school directors, of the borough and township of Brownsville, and of the borough of Bridgeport, in the county of Fayette, be and they are hereby authorized to levy and collect, upon and from the taxable inhabitants thereof, a tax, which, in the aggregate, will be sufficient to pay to each volunteer, who may be credited to said boroughs and township, under the late call of the President of the United States, for five hundred thousand men, the sum of three hundred dollars.

SECTION 2. Said tax shall be assessed, levied and collected, upon the real and personal property, in said boroughs and township, which is taxable for state and county purposes, and according to the valuation and assessment returned to the commissioners, for the year one thousand eight hundred and sixty-four; and in addition, if the authority, heretofore conferred, is exercised by said school directors, or a majority of them, they shall also, at the same time, impose upon each individual, in said boroughs and township, between the ages of twenty and forty-five, a poll tax of twenty dollars; and the expenses of levying and collecting said taxes, not to exceed three per cent. on the whole amount collected, to be paid out of the fund so collected.

School directors authorized to levy a tax.

How to be assessed and collected.

Poll tax authorized.

Cost of collection, relative to.

SECTION 3. Whenever said tax shall have been assessed, it shall be the duty of the said school directors to appoint a collector, and issue their warrants and duplicate, for the collecting of said tax, in like manner as other taxes are collected.

Collector to be appointed.

HENRY C JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED.—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 881.

## Supplement

To an act, approved May twentieth, one thousand eight hundred and sixty-four, directing the entry of liens for money due the Commonwealth on certain lands.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the patent fee on town lots, not exceeding one-third of an acre, shall be one dollar; and that so much of the said act

of May twentieth, one thousand eight hundred and sixty-four, as is inconsistent herewith, is hereby repealed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 828.

## An Act

For the protection of Volunteers against frauds, in the payment of bounty money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any person, who may be entrusted with any bounty money for any Pennsylvania volunteer, entering the service of the United States, or this state, who shall, with or without the consent of said volunteer, retain the same, or any part thereof, or shall fail to pay to such volunteer, at the time of his being mustered in, the full amount of such bounty money, without any deduction, or abatement, shall be deemed guilty of a misdemeanor, and on conviction thereof, in any court of oyer and terminer, or quarter sessions, shall be sentenced to pay a fine of five hundred dollars, and to be imprisoned, at hard labor in the penitentiary, for the term of six months.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 883.

*An Act*

Providing for the re-payment of a certain loan, and the payment of the expenses of the extra session of the Legislature, and other miscellaneous items.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

That the state treasurer is hereby authorized to pay, out of any money in the treasury, not otherwise appropriated, the amount of a certain military loan, advanced by the banks, to pay the militia of the state, called out in June and July, one thousand eight hundred and sixty-three, amounting to six hundred and seventy-five thousand one hundred and ninety-five dollars and thirty-three cents, and any interest due thereon; and that the act, approved May fourth, one thousand eight hundred and sixty-four, authorizing the negotiation of a loan to pay the same, be and the same is hereby repealed.

Appropriation for the payment of a certain military loan advanced by the banks.

Repeal of certain act.

*SECTION 2.* That the sum of fifty thousand dollars, or so much thereof as may be necessary, is hereby appropriated to pay the members of the Senate and House of Representatives, and the officers of both houses, the expenses of the extra and adjourned sessions of the legislature; each member of the Senate and House to receive three hundred dollars, in lieu of daily pay; for the payment to the chief, assistant and transcribing clerks, the post-master, sergeant-at-arms, door-keeper and messenger, and their assistants, of the House and Senate, the compensation allowed for an extra session, by the fifteenth section of the act of seventh May, one thousand eight hundred and fifty-five; to Jacob Styers, acting librarian of the Senate, the same compensation as transcribing clerk; to John A. Smull, the same compensation as the chief clerk of the House; to the pages of each house, one dollar and twenty-five cents per day each; to the pasters and folders, two dollars per day, and fifty dollars each, and one-half the usual mileage; to William L. Cooper, of the House, and J. Quincy Hoover, of the Senate, the pay of assistant door-keepers; to the men employed in the rotunda and basement, the sum of three dollars per day each; the number of days to be certified to by the clerk of the House: *Provided*, That not more than half the usual mileage shall be allowed to any officer, whether elected or appointed: *And provided*, That no officer shall be paid, who has not been present at this session, in the performance of his duties.

Appropriation for members and officers of the legislature.

Jacob Styers.

John A. Smull.

Pages, pasters and folders.

Wm. L. Cooper and J. Quincy Hoover.

Mileage, relative to.

Proviso.

*SECTION 3.* That each of the seven members of the special committee, appointed at the regular session, to revise the laws, in regard to the assessment and collection of taxes, be entitled to receive the sum of two hundred and fifty-five dollars.

Special committee to revise revenue laws.

Surveyor general authorized to employ two additional clerks.

SECTION 4. That the surveyor general is authorized to employ two additional clerks in his department, at salaries, not exceeding one hundred dollars per month, to be paid out of any money in the treasury, not otherwise appropriated.

Appropriation for payment of a certain warrant.

SECTION 5. That the treasurer is authorized to pay a warrant, drawn by the governor, on the fourth day of March, eighteen hundred and sixty-four, in favor of the commissary general, and now held by the Mechanics' Bank, of Harrisburg, for two thousand dollars, the military fund, out of which it was payable, being exhausted.

Construction of a new board walk authorized.

SECTION 6. That the superintendent of public grounds, under the supervision of the governor and auditor general, is hereby authorized to have a new board walk constructed, in lieu of the present dilapidated board walk, leading to the south-eastern corner of the public grounds, the vouchers to be passed upon by the auditor general; the amount not to exceed one thousand dollars.

Twenty-five per cent. above contract prices allowed to state printers.

SECTION 7. That the auditor general and state treasurer be and they are hereby authorized to allow to Singerly & Myers, state printers, on the settlement of their accounts, for the year beginning January first, eighteen hundred and sixty-four, and ending January first, eighteen hundred and sixty-five, twenty-five per centum above the prices allowed to them under their contract.

Expenses of state agents.

SECTION 8. That the state treasurer is hereby authorized to pay, out of any money in the treasury not otherwise appropriated, the necessary expenses of the Pennsylvania state agents, at Washington, and in the army of the South-West, as authorized by the act of the fourth of May, eighteen hundred and sixty-four: and, also, the amount due for regimental flags, amounting to three thousand four hundred and fifty-eight dollars; and such further sum, not exceeding five thousand dollars, as may be necessary to re-place the flags of regiments already in the field, during the present financial year; also, to H. E. Leman, eight hundred and eighty-two dollars and seventy cents, for repairing, altering and re-modelling muskets and rifles, for the state.

Regimental flags.

H. E. Leman.

Packing and distributing laws, &c.

SECTION 9. That for packing and distributing the laws and journals of the legislature, Executive and Legislative Documents, six hundred dollars additional, or so much thereof as may be necessary. To George H. Morgan, assistant librarian, the sum of fifty dollars, for services in attendance on committees, during the extra session; and to the chief clerk of the Senate and House, for indexing laws and journals, the sum of fifty dollars each.

George H. Morgan.

Indexing journals.

Repeal of proviso relative to appropriation to the New Brighton Insane Asylum.

SECTION 10. That the proviso to the appropriation bill, approved May fifth, one thousand eight hundred and sixty-four, requiring, in certain contingencies, the re-payment of five thousand dollars, by the New Brighton insane asylum, be and the same is hereby repealed, and the appropriation is made absolute.

Forwarding Legislative Record, &c.

SECTION 11. For expenses of forwarding back numbers of Daily Records, and other matter, to members of the House, after the extra session, the sum of one hundred dollars, to be

disbursed by the clerk of the House, and the like amount, for the same purpose, to be disbursed by the clerk of the Senate.

SECTION 12. That the state treasurer is hereby authorized and directed to pay, to each of the chief clerks of the Senate and House of Representatives, the usual per diem, for ten days' service, after the close of the session, and to two additional clerks, to assist him in the performance of his duties, the usual per diem, for ten days after the close of the session.

Chief and assistant clerks, for services after adjournment.

SECTION 13. For the payment of the expenses incurred by the surveyor general, prior to the first day of June last, in taking care of the sick and wounded soldiers, not exceeding, in the aggregate, eight hundred dollars.

Expenses incurred in taking care of sick and wounded soldiers.

SECTION 14. To George Forbes, as keeper of the arsenal at Harrisburg, from April fifteenth, one thousand eight hundred and sixty-one, to January tenth, one thousand eight hundred and sixty-two, two hundred and twenty dollars and eighty-three cents.

George Forbes.

SECTION 15. To George W. M'Calla, for repairing clock on the capitol, one hundred and sixty-five dollars.

George W. M'Calla.

SECTION 16. That in lieu of the plans mentioned in the thirty-first section of the general appropriation law, approved May fourth, one thousand eight hundred and sixty-four, it shall be lawful for the commissioners, therein named, to adopt the plan submitted by them to the legislature, at its present session, with such modifications as they may deem expedient.

Plans for extension of capitol buildings, relative to.

SECTION 17. That the state librarian be and he is hereby authorized to prepare a descriptive and classified catalogue of all the books, maps and plates, in the state library, not already catalogued, to correspond in manner and style with the volume already printed: *Provided*, That the cost of preparing the same shall not exceed that paid for the preparation of the first volume, to be paid out of any moneys in the treasury not otherwise appropriated.

Preparation of a catalogue of books, &c., in state library, authorized.

Cost.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 884.

## A Supplement

To an act to fix the number of Senators and Representatives, and to form the State into districts, in pursuance of the provisions of the constitution, approved May fifth, one thousand eight hundred and sixty-four.

WHEREAS, By a clerical error in the act, to which this is a supplement, the third election division of the Nineteenth ward, of the city of Philadelphia, was included in the twelfth, and also in the fifteenth, representative district, of the said city :

*And whereas*, It was intended that the said election division should form a part of the first named representative district ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the third election division of the Nineteenth ward, of the city of Philadelphia, shall be included in and form a part of the twelfth representative district, of the said city ; and so much of said act, as constitutes the said division a portion of the fifteenth representative district, of the said city, be and the same is hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 885.

## A Supplement

To an act, entitled "An Act relating to the payment of bounties to volunteers," approved the twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four, so far as applies to the township of Rapho, in the county of Lancaster, and the borough of Hamburg, in the county of Berks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*,

That so much of the seventh section of said act, relating to a *per capita* tax on all male inhabitants, shall not apply to those persons subject to draft, in the township of Rapho, in the county of Lancaster, nor in the borough of Hamburg, in the county of Berks, under any of the laws of the United States; and in lieu thereof, the authorities, named in said section, to which this is a supplement, shall have power to levy and assess, upon all persons so liable to draft, in said township and borough, a *per capita* tax, not exceeding twenty dollars.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 886.

## An Act

In relation to the levying of taxes and the payment of bounties to volunteers, in East Hanover township, in the county of Dauphin.

WHEREAS, On the faith of certain voluntary subscriptions and taxes, levied in East Hanover township, Dauphin county, to raise money to pay bounty to volunteers, to fill the quota of said township, certain individuals obtained the funds for that purpose, on their own credit, and a large part of the said quota was thus filled; but owing to the difficulty in obtaining recruits, and the shortness of the time allowed, a draft for the remainder was inevitable:

*And whereas*, The school directors, believing it to be just, and being desired so to do, by a large majority of the taxable inhabitants of said township, (including many of those who now object,) in good faith paid, to each of the persons who were so drafted, the sum of three hundred dollars as bounty money:

*And whereas*, A few of the said subscribers and taxable inhabitants, since the said draft, refuse to pay their said taxes and subscriptions, alleging, as a pretext, the application of the funds as aforesaid; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the taxes heretofore levied by the school directors of East Hanover township, in the county of Dauphin, in the year

eighteen hundred and sixty-four, as well as the subscriptions so made, to pay bounties to volunteers, to fill the quotas of said township, be and the same are hereby legalized and made valid and binding, with the same effect as if the entire fund had been applied strictly to the procuring of volunteers, as aforesaid.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 887.

## An Act

Relating to Bounties, in the township of Hellam, York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That the assessment of taxes, for the payment of bounties to volunteers, heretofore made by the school directors of the township of Hellam, in the county of York, be and the same is hereby legalized and made valid, and the appropriation of the moneys, realized from the collection of the taxes, so as aforesaid levied, as made by the said school directors, to payment of bounties, and to citizens of the said township, who may have put in substitutes, or been drafted therein, shall be held and deemed good and valid appropriation of the moneys, so as aforesaid levied and assessed.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 888.

**An Act**

Relative to the Bank of Chambersburg.

WHEREAS, By a disastrous fire, on the morning of the thirtieth day of July, Anno Domini one thousand eight hundred and sixty-four, the banking house of the Bank of Chambersburg was wholly destroyed :

*And whereas*, The directors of said bank are desirous to rebuild said banking house, without any encroachment upon the banking funds of said institution ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the cashier of the Bank of Chambersburg shall be and is hereby empowered to sell, for the purpose of re-building the banking house of said institution, twenty thousand dollars of the gold coin of said bank ; and that nothing contained in the act of assembly, of the thirtieth day of January, Anno Domini one thousand eight hundred and sixty-three. or any other act of assembly of this commonwealth, shall be held to prohibit said sales, to the amount hereinbefore expressed, or to make said sale unlawful.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 889.

**An Act**

Ceding to the United States of America the right of exclusive jurisdiction over two strips of ground, adjoining and lying immediately to the south of the United States Navy Yard, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*,

That the consent of the commonwealth of Pennsylvania is hereby granted to the United States of America, to purchase, from the heirs of Joseph North, deceased, and the heirs of Albert Benton, deceased, and to acquire title to, all those two certain strips, or pieces, of ground, adjoining and lying immediately to the south of the Navy Yard, in the city of Philadelphia, containing, together, in breadth, on the east side of Front street, one hundred and fifty-four feet, nine and one-half inches; that is to say, the estate of Joseph North, deceased, seventy-four feet, three inches, and the estate of Albert Benton, deceased, eighty feet, six and one-half inches, or thereabouts, and extending in depth, south-eastwardly, along the south line of the said Navy Yard, being the whole width of their respective lots, into the river Delaware, together with all the marsh land lying east of and adjacent, or appurtenant, thereto; and together, also, with all the riparian rights and privileges thereunto belonging, and appertaining to the same; and the commonwealth of Pennsylvania doth hereby cede to the United States of America, for naval and other purposes, according to the terms of the constitution of the United States, the right to exercise exclusive legislation and jurisdiction over the said two strips of ground, with all the premises and appurtenances aforesaid.

SECTION 2. And whereas, it is necessary for public purposes as a Navy Yard, that no street should run through the said premises; and whereas, none of the streets, laid down on the plan of the city of Philadelphia, have as yet been opened through the said two strips of ground; now, therefore, it is hereby further enacted, that any and all streets, laid down through said two strips of ground, shall be and the same are hereby vacated.

SECTION 3. This act shall take effect, upon the acceptance, by the United States of America, of the title to the said two strips of ground, or either of them, and to the extent of the ground to which title shall be so accepted.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 890.

*An Act*

To revive an act for the payment of bounties, in the county of Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act to provide for the payment of bounties to volunteers, in the county of Bradford, approved the eleventh day of March, eighteen hundred and sixty-four, are hereby revived and declared to be in full force, and shall apply to the payment of bounties to volunteers, under the late call of the President of the United States, and to all future calls, when the county commissioners refuse or neglect to pay bounties to volunteers.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 891.

*An Act*

Relative to the assessment of a *per capita* tax, in the townships of Porter and Hopewell, and the borough of Alexandria, in the county of Huntingdon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the townships of Porter and Hopewell, and the school directors of the borough of Alexandria, in the county of Huntingdon, shall have the authority, in addition to all other taxes which, under the existing laws of this commonwealth, they have a right to levy, assess and collect, for the payment of bounties to volunteers, to levy, assess and collect a *per capita* tax of fifteen dollars from each male citizen of said townships of Porter and Hopewell, and said bo-

School directors  
authorized to  
levy a *per capi-  
tu* tax.

rough of Alexandria, liable to draft, under the laws of the United States, for the purpose of raising a fund for the payment of bounties to volunteers, to fill up the quotas of said townships of Porter and Hopewell, and said borough of Alexandria, under the present requisition of the President of the United States, for five hundred thousand men.

Limitation as to the amount of taxes to be collected, in Hopewell township, in any one year.

SECTION 2. That the said school directors of Hopewell township shall not collect a greater sum, in any one year, than the one-fifth, nor less than the one-tenth, of the whole amount of money so required to pay volunteers: *Provided however*, That if any tax-payer of said township shall think it expedient, he may pay the whole amount of tax, so required, within one year after the passage of this act.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 892.

## An Act

Relating to the payment of Bounties, in Jefferson township, Greene county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners appointed to assess and collect taxes.

That for the purpose of enabling the township of Jefferson, in the county of Greene, to furnish the quota of men required from said township, under the late call of the President of the United States, for five hundred thousand men, it shall be lawful for William Scott, Michael Magovern, Johnson Wicuff, Samuel Colver, John Donlin, Charles Hughes and William Black, citizens of said township, to act as commissioners, to assess and collect taxes, as follows: to pay a bounty of three hundred dollars to each volunteer, credited to said township, who shall go into the service, and the sum of two hundred dollars to each man enrolled in said township, who shall put in a substitute, for three years: *Provided*, Said substitute shall be accredited before the quota of the township is filled, under the present call for troops; upon all persons, in said township, between the ages of twenty and forty-five, not exempt from military duty, there may be imposed a *per capita* tax, of not exceeding twenty dollars each, to be paid by such persons.

Proviso.

*Per capita* tax authorized.

SECTION 2. In addition to the *per capita* tax, authorized by the first section of this act, it shall be lawful for the aforesaid commissioners, or a majority of them, to impose additional taxes upon the real and personal estate of the taxable inhabitants of said township, and upon all other things now made taxable, by law, for state and county purposes, to an amount necessary to pay to each volunteer, from said township, or to persons furnishing substitutes, upon conditions aforementioned, the amount named in the first section of this act, together with the costs of assessing and collecting the same, and all other necessary expenses. Additional taxes may be imposed.

SECTION 3. Immediately after the assessment of said taxes, it shall be the duty of the aforesaid commissioners to make a duplicate, which, together with their warrant authorizing said collection, they shall put into the hands of the constable of said township, whose duty it shall be to collect the same, in the time and manner now provided, by law, for the collection of township taxes; said constable to give a bond to said commissioners, with sureties, in such amount as they may require. Collection, relative to. Constable to give bond.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 893.

## An Act

Relating to the payment of Bounties, in Morgan township, Greene county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That for the purpose of enabling the township of Morgan, in the county of Greene, to furnish the quota of men required from said township, under the late call of the President of the United States, for five hundred thousand men, it shall be lawful for T. P. Pollock, David P. Bell, Jacob Rush, S. C. Orr and Henry Bell, or a majority of them, citizens of said township, should they deem it expedient, to act as commissioners, to assess and collect taxes as follows: to pay a bounty of three hundred dollars to each volunteer, credited to said township, under said call, upon all persons in said township, be- Commissioners appointed.

*Per capita* tax authorized.      between the ages of twenty and forty-five years, there shall be imposed a *per capita* tax of twenty dollars each, to be paid by such persons.

Additional taxes may be imposed.      SECTION 2. In addition to the *per capita* tax, authorized by the first section of this act, it shall be lawful for the aforesaid commissioners, or a majority of them, to impose additional taxes upon the real and personal estate of the taxable inhabitants of said township, and upon all other things now made taxable, by law, for state and county purposes, to an amount necessary to pay, to each volunteer for said township, the amount named in the first section of this act, together with the costs of assessing and collecting the same, and all other necessary expenses.

Collection, relative to.      SECTION 3. Immediately after the assessment of said taxes, it shall be the duty of the aforesaid commissioners to make a duplicate, which, together with their warrant, authorizing said collection, they shall put into the hands of the constable of said township, whose duty it shall be to collect the same, in the time and manner now provided by law for the collection of township taxes; said constable to give a bond to said commissioners, with sureties, in such amount as they may require.

Constable to give bond.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 894.

## Supplement

To an act, entitled "An Act relating to the payment of Bounties to Volunteers," approved the twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it is the true intent and meaning of said act, that its provisions apply not only to the call for volunteers, existing at the passage of said act, but to all future calls that have, or may be made by the governor of this commonwealth, or the President of the United States; and that it is the true intent

and meaning of the sixth section of the aforesaid act, that the school directors and supervisors of the public highways of any township, and the burgess and town council of any incorporated borough, within the counties of Indiana, Armstrong, and Jefferson, or a majority of any, or either, of them, have as full and complete authority to issue bonds for the payment of bounties to persons volunteering in the military service of this state, or of the United States, as the county commissioners have, under said section: *Provided*, That this act shall only apply to the counties of Indiana, Armstrong and Jefferson.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 895.

## An Act

Relating to the payment of Bounties to Volunteers, in the township of Manheim, in the county of Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That in addition to the bounty of three hundred dollars, authorized and provided in the act relating to payment of bounties to volunteers, passed the twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four, the authorities of the township of Manheim, in the county of Lancaster, or the board of election officers, are hereby fully authorized to levy a *per capita* tax of not more than ten dollars upon all taxable male inhabitants in said township, to be appropriated to payment of bounties to volunteers, mustered into the service of the United States, for the present, or any future draft, ordered by the President of the United States; said taxes to be levied and collected as county, city, ward and borough taxes are now levied and collected, as directed by the said act, relating to the payment of bounties to volunteers, passed twenty-fifth day of March, eighteen hundred and sixty-

## LAWS OF PENNSYLVANIA,

four: *Provided*, That the amount of bounty, paid to each volunteer, shall not exceed three hundred dollars.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 896.

## An Act

Relating to Bounties in the borough of Millinburg, in the county of Union.

WHEREAS, The burgess and town council, of the borough of Millinburg, did, on the nineteenth day of May, Anno Domini one thousand eight hundred and sixty-four, levy and assess a tax, for the purpose of paying bounty to volunteers:

*And whereas*, A sum of money was subscribed and paid, by certain of the citizens of said borough, liable to draft, and paid into the treasury of said borough; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That in all cases, in which individuals, liable to draft, subscribed and paid any sum of money, which was put into a common fund, and by action of the burgess and town council of said borough, paid to volunteers, with a view of relieving said borough from a draft, such sum of money, so subscribed and paid, shall be credited to the individuals, respectively, who paid the same; and in all cases, in which their tax, assessed as aforesaid, is less than the sum subscribed and paid, the surplus shall be paid to the said subscribers.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 897.

*An Act*

Relative to Bounties, in Elk township, Warren county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the action of the road commissioners of the township of Elk, in the county of Warren, in procuring volunteers to fill the quota of said township, under former calls of the President of the United States, be and the same is hereby legalized, so far as the amount of the bounty agreed to be paid is concerned; and that said commissioners be and they are hereby authorized to levy and collect, as other township taxes are by law levied and collected, an amount sufficient to pay said bounties, or to re-pay the moneys loaned for that purpose.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 898.

*An Act*

In relation to a *per capita* tax, for the payment of Bounties to Volunteers, in the townships of Colebrookdale, Alsace, Washington and Richmond, in Berks county, and the townships of Saucon and Lehigh, Northampton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the school directors, or supervisors, of the townships of Colebrookdale, Alsace, Washington and Richmond, in Berks county, and the townships of Saucon and Lehigh, Northampton county, to levy and collect a *per capita* tax, not exceeding twenty dollars, on each male

inhabitant of said townships, between the ages of twenty-one and forty-five years, who are liable to do military duty, for the purpose of paying bounties to volunteers, under the existing requisition of the President of the United States.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 899.

## An Act

Relative to taxes for Bounties to Volunteers, in Halifax township, in the county of Dauphin.

### Preamble.

WHEREAS, Certain citizens of Halifax township, in the county of Dauphin, associated together under the title of the Halifax Bounty Association, for the purpose of freeing said township from the late drafts, said association, in January last, advanced the sum of eight hundred dollars, which was expended in paying bounties to volunteers, to fill the quota of said township, under the late calls of the President, for seven hundred thousand men :

*And whereas*, Doubts having arisen as to the power of the school directors, of said township, to levy a tax under the late act of assembly, and refund the moneys so advanced, no tax for the re-imbursement of said association has yet been laid or authorized ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*

School directors  
authorized to  
borrow money.

That the school directors of Halifax township, in the county of Dauphin, be and they are hereby authorized, and required, to borrow such sums of money as will fully re-imburse the Halifax Bounty Association, for moneys advanced to free said township of the drafts, under the late calls of the President, for seven hundred thousand men, together with such additional amount as will be required to free said township from the draft, under the present call of the President, for five hundred thousand men : *Provided*, That not more than three hundred dollars be paid by said school directors to each volunteer, or substitute, who may credit himself to said township.

### Proviso.

SECTION 2. For the re-payment of the aforesaid borrowed money, the said school directors are hereby fully authorized and empowered to levy and collect a tax, or taxes, for the full amount, together with such interest as may, from time to time, accrue; and shall have discretionary power to issue bonds for the money so borrowed, in sums not less than one hundred dollars, and for a term not exceeding five years, or the said school directors may proceed, at once, to assess and collect the full amount of money required as aforesaid.

To levy taxes for re-payment of money borrowed.  
May issue bonds.

SECTION 3. The said school directors shall have power to levy and collect a capitation tax, not exceeding ten dollars, upon each tax-payer: *Provided*, That said tax shall not be made upon widows, or soldiers who have been in the United States service, at least two years, or persons over forty-five years of age.

Capitation tax may be levied.  
Exemptions.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 900.

## An Act

Relative to the payment of Bounties, in the township of Weisenburg, Lehigh county.

WHEREAS, The township of Weisenburg, in the county of Lehigh, on the twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four, held a public meeting, to raise bounties, under the act of assembly, passed the twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-four, when it was agreed and resolved, that a *per capita* tax of five dollars be levied, and that the school directors of said township levy an income tax, according to the business and income of the inhabitants of said township, in addition to the amount levied on the assessment:

*And whereas*, Doubts have arisen as to the validity of the tax levied in said township, inasmuch as the same was done on the day said act was approved by the governor; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the taxes imposed by the authorities of said township of

Weisenburg, in relation to the payment of bounties, are hereby legalized and made valid.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 901.

## An Act

To authorize the payment of Bounties to Volunteers, in the county of Tioga.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Supervisors,  
school directors  
and councils,  
authorized to  
pay bounties.

That it shall be lawful for the supervisors of the several townships, in the county of Tioga, (and in case the said supervisors, or any of them, refuse, or neglect, so to do,) for the school directors of said several townships, and the burgess and council of the several boroughs, in said county, to offer and pay bounties to volunteers, to fill the quota of said townships, or boroughs, under the present call of the President of the United States, or any future call of said President, not exceeding three hundred dollars each; and the said supervisors, or school directors, as the case may be, and burgess and council of the several boroughs, are hereby authorized to borrow money and issue bonds, warrants, or certificates of loan therefor, with, or without, interest, and coupons attached, which shall be exempted from taxation for state and county purposes.

May borrow  
money and is-  
sue bonds.

Authorized to  
levy taxes.

*SECTION 2.* That it shall be lawful for said supervisors, or school directors, as the case may be, and burgess and council of said boroughs to levy and collect a tax for the purpose of paying said bounties, and the re-payment of said loan, upon all real and personal property, professions, trades and occupations, made taxable for state and county purposes, together with a *per capita* tax on all male taxable inhabitants of said townships and boroughs, not exceeding five dollars each: *Provided*, That not more than two per centum per annum shall be assessed on the last adjusted valuation of property in said several townships and boroughs, for state and county purposes: *Provided*, That non-commissioned officers and privates, in actual service of the United States army and navy,

*Per capita tax.*

*Limitation.*

*Exemptions.*

from this commonwealth, or who were permanently disabled in such service, or having been in such service for the space of one year, and honorably discharged therefrom, and the property of widows and minor children, and widowed mothers, of non-commissioned officers and privates, shall be exempted from taxation under this act.

SECTION 3. That all assessments of taxes by the school directors, or a supervisor, in any of the townships in said county, for the purpose of paying bounties to volunteers, to fill the present quota, is hereby legalized and made valid. Assessments of taxes legalized.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 902.

## An Act

Relating to the appointment of Guardians.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the orphans' court, of each county, shall have power to appoint guardians of the persons and estates of minors, who may be absent in the service of the United States, or who may be physically unable to appear, and choose for themselves, or who may be so distant from the seat of justice of the county, as to make it unnecessarily expensive for them to appear upon the petition of the minors, without requiring the minors to appear in court, to make choice: *Provided,* That when the appointment shall be made on petition of relatives, or friends, the minor may subsequently appear, and choose his guardian, as in case of one attaining the age of fourteen.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 903.

**A Further Supplement**

To an act to incorporate the city of Philadelphia.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common councils, of the city of Philadelphia, shall have the power to levy a tax for municipal purposes, on all subjects of taxation, specified by the thirty-second section of the act of April twenty-ninth, one thousand eight hundred and forty-four, and to provide, by ordinance, a system for the assessment thereof, and for the collection of taxes thereon.

**HENRY C. JOHNSON,**  
Speaker of the House of Representatives.

**JOHN P. PENNEY,**  
Speaker of the Senate.

I do certify, that the bill, entitled "A further supplement to an act to incorporate the city of Philadelphia," which has been disapproved by the governor, and returned with his objections, to the House of Representatives, in which it originated, was passed by two-thirds of the House of Representatives, on the eighteenth day of August, one thousand eight hundred and sixty-four, and the foregoing is the act so passed by the House.

**HENRY C. JOHNSON,**  
Speaker of the House of Representatives.

*Attest:—***A. W. BENEDICT,**  
Clerk of the House of Representatives.

I do certify, that the bill, entitled "A further supplement to an act to incorporate the city of Philadelphia," which has been disapproved by the governor, and returned with his objections to the Senate, was passed by two-thirds of the Senate, on the twenty-fifth day of August, one thousand eight hundred and sixty-four, and the foregoing is the act so passed by the Senate.

**WM. J. TURRELL,**  
Speaker of the Senate.

*Attest:—***GEO. W. HAMERSLY,**  
Clerk of the Senate.

No. 904.

*An Act*

To authorize the payment of bounty to drafted men, in Montgomery county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the commissioners of Montgomery county are hereby authorized to pay to each and every man, who shall be drafted and mustered into the service of the United States, or who shall furnish, to the proper officer, an acceptable substitute, the same bounty as they are now or may hereafter be authorized by law to pay to volunteers, to fill the quota of any district under the present, or any future, call for troops by the President of the United States.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

**APPROVED**—The thirty-first day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 905.

*An Act*

Relating to the levy of tax for bounty purposes, in the borough of Perrysville.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, three members of the town council, of the borough of Perrysville, in the county of Juniata, shall constitute a quorum, for the purpose of contracting loans and paying bounties to volunteers, under the

general provisions of the act relative to the payment of bounties to volunteers, and the supplements thereto.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 906.

## A Further Supplement

To an act, entitled "An Act authorizing the citizens of Palmer township, Northampton county, to issue bonds and disburse the proceeds of the sale thereof as Bounties to Volunteers," approved May fourth, one thousand eight hundred and sixty four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Authorities of certain boroughs authorized to exercise powers conferred upon commissioners in Palmer township. Bonds, warrants, &c., issued, legalized. Repeal.

That the corporate authorities of the boroughs of Nazareth, Easton and South Easton, and Bethlehem, in the county of Northampton, are hereby authorized to exercise all the powers conferred by the act, to which this is a supplement, upon the special commissioners, therein named, for the township of Palmer: *Provided*, That all bonds, warrants, and certificates of indebtedness, that have been issued by the aforesaid authorities, for bounty purposes, since the first day of January, one thousand eight hundred and sixty-four, are hereby declared to be legal and valid.

SECTION 2. That all laws, or parts of laws, inconsistent herewith, are hereby repealed, in their application to the said boroughs.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The thirty-first day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 907.

*An Act*

To authorize Emma Y. Donelson to sell certain real estate.

WHEREAS, By an act of the general assembly of this commonwealth, passed the first day of May, eighteen hundred and fifty-two, the said Emma Y. Donelson was authorized, in order that she might improve the same, to mortgage a certain lot, or piece, of ground, situate on the north side of Chestnut street, east of Fifteenth street, in the city of Philadelphia, which said premises were devised to her for life, under the last will and testament of Eliza Farquhar, deceased, with power, on the part of said Emma Y. Donelson, to devise and bequeath the same to her heirs-at-law, in such manner, and with such restrictions, as to her may seem right, by any instrument of writing, in the nature of a last will and testament :

*And whereas*, Under said power, she did mortgage said premises, in order to improve said lot of ground, in the sum of six thousand dollars, as authorized by said act :

*And whereas*, It is desirable that a messuage, and lot number one thousand four hundred and thirty-three, Chestnut street, held, under the said will, for life, by the said Emma Y. Donelson, and, with a similar power on her part, to devise the same, should be sold, and the proceeds, thereof, applied to the payment and extinguishment of said mortgage, as is designed by the said Emma Y. Donelson ; now, therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the said Emma Y. Donelson to sell, either at public, or private, sale, the messuage and premises, situate number one thousand four hundred and thirty-three, Chestnut street, in the city of Philadelphia, being on the north side of said Chestnut street, east of Fifteenth street, in said city, containing in front, on said Chestnut street, twenty feet, and in depth, northward, one hundred feet to Joint alley, and to convey the same to the purchaser, or purchasers, thereof, in fee simple, and with like effect, as though the title to said premises was vested in the said Emma Y. Donelson, in fee, and without any liability, on the part of any such purchaser, or purchasers, to see to the application of the purchase money.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 908.

## An Act

To incorporate the Woodburne Mining Company.

	<b>SECTION 1.</b> <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i>
Corporators.	That R. D. Barclay, J. V. Elwell, Joseph Lesley, George Taber, O. W. Barnes and their associates, or any three of them, be and they are hereby created a body politic, by the name, style and title of the Woodburne Mining Company; and by such name and title, shall have perpetual succession, and shall be
Title.	capable of suing and being sued, impleading and being impleaded, and of granting and receiving, in its corporate name, property, real, personal and mixed; and of holding and improving lands in Arizona, or any, or all, of the territories of the United States, and to obtain therefrom any and all minerals and other valuable substances, whether by working, or opening, leasing, or disposing, privileges to work, or mine, or sell such lands, or any part thereof; and to erect houses and such other buildings, or works, as may properly appertain to said business; and to use, let, sell, lease, or work, the same, and to dispose of the products of all such lands, mines and works, as they may deem proper.
Powers and privileges.	
By-laws.	<b>SECTION 2.</b> That the said company shall have power to make such by-laws as they may deem proper, to enable them to carry out the objects of the corporation, and the same to alter, amend, add to, or repeal, at their pleasure: <i>Provided,</i>
Proviso.	That such by-laws shall not be contrary to the constitution of this commonwealth, or the provisions of this act; and to adopt a common seal, and the same to alter at pleasure, and
Seal.	to issue certificates of stock and bonds, representing the value of their property, in such form, and subject to such regulations, as they may, from time to time, by their by-laws, prescribe; and to regulate and prescribe, in what manner and form, their contracts and obligations shall be executed.
Certificates of stock and bonds to be issued.	
Election of directors.	<b>SECTION 3.</b> That the corporators, named in this act, shall elect persons to serve as directors, a majority of whom shall constitute a quorum for the transaction of business, and shall hold their offices until their successors shall have been elected, in accordance with the by-laws.
Offices.	<b>SECTION 4.</b> That it shall be lawful for said company to establish the necessary offices, for the business of the company, wherever their business is located, and to have their principal office in the United States, in such place as they may deem

expedient; at which place it shall be lawful to hold all meetings, for the transaction of the business of the company.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The twenty-fourth day of June, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 909.

## Supplement

To an act relating to the site of a proposed Railroad Depot, approved April twenty-eighth, one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act to which this is a supplement shall be construed to mean, that all properties within the boundaries, specified in said act, shall be taken for the purposes of said depot, however the same may be occupied, or owned, full compensation being made therefor, in the manner provided in said act; and all acts, or parts of acts, inconsistent with this act, be and the same are hereby repealed.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The tenth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 910.

**An Act**

To enable the Farmers' and Mechanics' Bank of Shippensburg to receive circulating notes from the Auditor General, under the provisions of the free banking laws of the State.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Farmers' and Mechanics' Bank of Shippensburg, incorporated by act of the legislature, approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-two, be and is hereby authorized to deposit the bonds, or evidences of debt, of this commonwealth, or of the United States, with the auditor general, in the manner and for the purposes prescribed by an act, entitled "A supplement to an act to establish a system of free banking in Pennsylvania, and to secure the public against loss from insolvent banks," approved May first, Anno Domini one thousand eight hundred and sixty-one; and, upon receiving the same, the auditor general shall procure circulating notes in blank, in the manner, style, and subject to the limitations, prescribed in said act of May first, one thousand eight hundred and sixty-one, and deliver the same to the said Farmers' and Mechanics' Bank, for issue and circulation; the amount of the said notes, of the denomination of one and two dollars, not to exceed thirty per centum of their capital stock.

Authorized to deposit bonds, &c., with the auditor general.

Circulating notes, relative to.

Limitation.

When to take effect.

**SECTION 2.** That the provisions of the first section of this act shall not take effect, until the sum of fifty thousand dollars shall be actually paid in.

**HENRY C. JOHNSON,**

Speaker of the House of Representatives.

**JOHN P. PENNEY,**

Speaker of the Senate.

We do certify, that the bill, entitled "An Act to enable the Farmers' and Mechanics' Bank of Shippensburg to receive circulating notes from the auditor general, under the provisions of the free banking laws of the state," was presented to the governor, on the fourth day of May, one thousand eight hundred and sixty-four, and was not returned, within three days after the meeting of the legislature, in extra session; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

**ADIN W. BENEDICT,**

Clerk of the House of Representatives.

**GEO. W. HAMERSLY,**

Clerk of the Senate.

HARRISBURG, August 19, 1864.

No. 911.

## An Act

Supplementary to an act incorporating the Oil Creek and Ridgway Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Oil Creek and Ridgway Railroad Company be and they are hereby authorized to construct branches from the route, authorized in their charter, to connect with any other railroad now, or hereafter, authorized to be constructed; and that after the passage of this act, only seven directors shall be elected.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

We do hereby certify, that the bill, No. 1035, entitled "An Act supplementary to an act incorporating the Oil Creek and Ridgway Railroad Company," was presented to the governor, on the second day of May, Anno Domini one thousand eight hundred and sixty-four, and was not returned, within three days after the meeting of the legislature, in extra session; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if it had been signed.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, August 19, 1864.

No. 912.

## An Act

Relating to the Connellsville and Southern Pennsylvania Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pittsburg, Fort Wayne and Chicago Railway Com-

pany, the Cleveland and Pittsburg Railroad Company, the Western Transportation Company, the Cumberland Valley Railroad Company, or either of them, are authorized to subscribe to and hold capital stock in the Connellsville and Southern Pennsylvania Railway Company; and the said railroad companies, and any other railway company, or companies, east of the Susquehanna river, and also the city of Baltimore, are hereby authorized to purchase any of the bonds, which may be issued by said Connellsville and Southern Pennsylvania Railway Company, or endorse, by guarantee, or otherwise, any of the bonds issued by said company; such subscriptions to the stock, purchase of the bonds, or endorsements thereof, by said railroad companies, or either of them, to be made upon such terms and conditions as may be agreed upon by the board of directors of the Connellsville and Southern Pennsylvania Railway Company, and the board of directors of the railroad corporations making such subscriptions, purchase, or endorsements; and the directors of the Connellsville and Southern Pennsylvania Railway Company are hereby authorized, if they deem it expedient, to pay six per cent. interest upon stock subscriptions, paid in during the construction of the road, and charge the amount so paid to the cost of construction.

SECTION 2. That the Connellsville and Southern Pennsylvania Railway Company shall have the right and authority to purchase, or lease, any, or all, of the property, real and personal, and all of the works, finished and unfinished, of the Pittsburg and Connellsville Railroad Company, and all the franchises, rights and privileges, of said company; and the Pittsburg and Connellsville Railroad Company shall have the right to lease, or sell, the same, upon such terms as may be agreed upon by the boards of directors of the two companies: *Provided*, That no contract of lease, or sale, shall be binding upon the parties, until agreed to by a majority of the stockholders of each of the corporations, present at a meeting convened for the purpose of considering the same, after twenty days' notice, in at least two daily papers in the city of Pittsburg.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do hereby certify, that the bill, No. 1282, entitled "An Act relating to the Connellsville and Southern Pennsylvania Railway Company," was presented to the governor, on the twenty-ninth day of April, one thousand eight hundred and sixty-four, and was not returned, within three days after the meeting of the legislature, in extra session; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if it had been signed.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, August 19, 1864.

No. 913.

**An Act**

Relative to the Pittsburg and Connellsville Railroad Company.

WHEREAS, By an act of assembly, entitled "An Act to in-  
 corporate the Pittsburg and Connellsville Railroad Company,"  
 approved third April, one thousand eight hundred and thirty-  
 seven, a corporation, entitled the Pittsburg and Connellsville  
 Railroad Company, was authorized to be created, by which,  
 and the several supplements thereto, said company was em-  
 powered to construct a railroad, connecting the city of Pitts-  
 burg with several of the southern counties of Pennsylvania :

*And whereas,* The purpose of the creation of said company,  
 by its charter and supplements, was the development and im-  
 provement of that portion of the state, through which it was  
 intended said road was to be constructed :

*And whereas,* The company, by said act and supplements  
 created, have failed to complete the road therein provided for,  
 and have so long delayed the construction of said road, that  
 now, after the lapse of years from the granting of full autho-  
 rity by the state, less than one-half of said line of railroad  
 has been constructed, and the line, or lines, east of Connells-  
 ville, authorized by the supplements to said act, not having  
 been completed, or prepared for public use :

*And whereas,* It is due to the people of this commonwealth,  
 and especially those residing in that portion of the state,  
 through which said road was intended to pass, that the pur-  
 pose of the passage of said act and supplements shall be  
 speedily accomplished :

*And whereas,* By the twentieth section of said act of incor-  
 poration, it is provided, that if the said company shall at any  
 time misuse, or abuse, any of the privileges herein (by said  
 act) granted, the legislature may resume all and singular, the  
 rights and privileges, hereby (in said act and its supplements)  
 granted to the said corporation :

*And whereas,* It is further by law provided, that the legis-  
 lature of this commonwealth shall have power to alter, revoke,  
 or annul, any charter, whenever, in their opinion, it may be  
 injurious to the citizens of the commonwealth ; in such manner,  
 that no injustice shall be done to the corporators :

*And whereas,* In the opinion of the legislature, said corpo-  
 ration, by the delay referred to, and by the embarrassments,  
 financial and otherwise, in which said corporation has come  
 to be involved, have misused and abused the powers by said  
 act conferred :

*And whereas,* In the opinion of the legislature, it is injurious  
 to the citizens of this commonwealth, that the said company  
 should any longer have, or enjoy, any right, franchise, or privi-  
 lege, to build, or construct, any railroad, branch, or extension,  
 of their existing railroad, southwardly, or eastwardly, from

Connellsville; and in consequence of the premises, it is now designed by the legislature, to exercise every right and power, them in that behalf enabling, in order that no hindrance, or impediment, by reason of location, or any other cause, may exist, to the free exercise, by the legislature, of their power, to grant the same and other franchises, to such corporation, or corporations, as will promptly extend, to that portion of the state, the benefit of railway communications, and thus develop speedily that section of the commonwealth, which lies southwardly and eastwardly from Connellsville:

*And whereas,* By the speedy completion of the line, or lines of railway, southwardly and eastwardly from Connellsville, the interests of the Pittsburgh and Connellsville Railroad Company may be materially promoted, through the establishment of a connection between their present finished line and other lines of railway; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Certain rights, powers, privileges, &c., created by the act of incorporation of the Pittsburgh and Connellsville railroad company, and by supplements thereto, revoked, &c.

That all the rights, powers, privileges and franchises, of every nature and kind, whatsoever, authorized, or created, by the act of assembly, approved third April, one thousand eight hundred and thirty-seven, authorizing the incorporation of the Pittsburgh and Connellsville Railroad Company, and all supplements thereto, so far as the same, or any of them, authorize the construction of any line, or lines, of railway, southwardly or eastwardly from Connellsville, be and they are hereby revoked and resumed by the commonwealth of Pennsylvania; and all the rights, powers, franchises and privileges, by the said act and its supplements, conferred upon the said corporation, for and in respect to all that portion of the lines southwardly and eastwardly from Connellsville, be and the same are by all and every authority in the legislature, for that purpose vested, resumed, revoked, repealed and put an end to: *Provided however,* That no injustice shall be done to the corporators, and that they shall, as and for full compensation for all damages and injury done, if to any, they can, or may be entitled, by the provisions of this act, receive payment for expenditures, made in respect to any work done, or constructed, upon any lines of the said railroad, southwardly, or eastwardly, from Connellsville; and the governor of the commonwealth shall appoint three competent persons, to appraise and value the expenditures so made, and the amount thereof, when so appraised, and certified to him in writing, by the parties so appointed, shall be paid to the said Pittsburgh and Connellsville Railroad Company, by any corporation, or corporations, hereafter authorized to construct a line, or lines, of railway, southwardly, or eastwardly, from Connellsville; and the company, so paying, shall be entitled, in their discretion, to use the work so paid for, as part of the line of their railway.

Proviso.

Governor to appoint appraisers.

Authorized to make sale to any corporation, or corporations.

SECTION 2. That it shall and may be lawful, for the said Pittsburgh and Connellsville Railroad Company, to make sale to any corporation, or corporations, which may hereafter be created by law, and authorized to construct a line, or lines, of railway, southwardly, or eastwardly, of Connellsville, of what-



ever works may have been by the said Pittsburg and Connells-  
ville Railroad Company progressed with, towards the con-  
struction of said line, or lines, of railway.

SECTION 3. That all acts and parts of acts, inconsistent with  
the provisions of this act, be and the same are hereby re-  
pealed: *Provided*, That nothing, in this act contained, shall  
be so construed, as in anywise to interfere with the charter,  
locations, or other privileges of the South Pennsylvania Rail-  
road Company, heretofore incorporated, under the laws of this  
commonwealth.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do hereby certify, that the bill, No. 1026, entitled "An  
Act relative to the Pittsburg and Connellsville Railroad Com-  
pany," was presented to the governor, on the twenty-ninth  
day of April, one thousand eight hundred and sixty-four, and  
was not returned, within three days after the meeting of the  
legislature, in extra session; wherefore, it has, agreeably to  
the constitution of this commonwealth, become a law, in like  
manner as if it had been signed.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, August 19, 1864.

No. 914.

## An Act

To incorporate the Connellsville and Southern Pennsylvania Railway  
Company.

SECTION 1. *Be it enacted by the Senate and House of Represen-  
tatives of the Commonwealth of Pennsylvania in General Assem-  
bly met, and it is hereby enacted by the authority of the same,*  
That U. M. Beechley, Jonas Keim, W. P. Schell, S. L. Rus-  
sel, John Cessna, Alexander King, Job Mann, F. M. Kimmel,  
Espy L. Anderson, John Miller, Joseph Johnston, J. Hartley,  
William S. Haven, B. F. Jones, William K. Nimick, George  
W. Litman, J. H. Sewell, George W. Cass, J. N. M'Cullough,  
Daniel H. Mulvaney, Thomas P. Knox, J. S. Yost, William  
M'Conkey, George Nickle, Alexander Stutzman, George D.  
Wolf, William J. Baer, A. H. Coffroth, S. E. Duffield, S. D.

Commissioners

Scott, M. Dickson, William Sellers, William Scott Fletcher, James Lyon, J. M'Ilvaine, J. M. Barndollar, O. W. Barnes, Benjamin R. Ashcom, William H. Watson, Israel Painter, R. D. Barclay, Frederick Watts, William M. Watts, Edward M. Biddle, Thomas A. Biddle, E. M. Schrock, A. B. Longaker, David M'Conkey, John Wistar, C. W. Ashcom, John A. Lowry, William H. Slingluff, Theophilus Snyder, J. C. Everhart, Daniel O. Hitner, A. M'Allister, William Dorris, John G. Miles, G. W. Householder, Daniel Salons, J. C. Etnier, Jacob Cresswell, William M'Clelland, D. O. Gehr, T. B. Kennedy, Peter S. Freas, James Nill, A. K. M'Clure, J. Allison Eyster, Thomas Chambers, John M. Cooper, G. R. Messersmith, B. Y. Harnsher and Daniel Washabaugh, all of the state of Pennsylvania, and William B. Ogden, J. D. T. Lanier, Samuel J. Tilden and L. H. Meyer, of the state of New York, or any five of them, be and they are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, by the name, style and title of the Connellsville and Southern Pennsylvania Railway Company, with power to construct a railroad from Connellsville to the Maryland state line, at such point, and by such route, as to the directors may seem advisable; and to connect the same with any road, or roads, authorized by the state of Maryland, and to connect the same with the Pittsburgh and Connellsville railroad, or any other road at, or near, Connellsville, now constructed, or that may hereafter be constructed; and to construct a road from any point, on said line, to connect with any road, or roads, in the Susquehanna valley, or west thereof, and with power to make such branches as the directors may deem expedient and necessary, in the southern tier of counties of Pennsylvania, with power to extend any, or all, of said branches to such point, or points, as to the said directors may seem advisable, and connect all, or either, of them with any road, or roads, now constructed, or that may hereafter be constructed, west of the Susquehanna river; and that the said company shall have authority to cross any railroad, or railroads, at grade, with its main roads, branches and extensions.

Title.

Route.

Connection with other roads authorized.

Branches, &amp;c., relative to.

Capital stock.

When organization to be perfected and main line completed.

Directors authorized to borrow money and issue bonds.

Mortgages.

SECTION 2. That the capital stock of said company shall consist of ten millions of dollars, divided into shares of fifty dollars each, with the privilege of increasing the same, from time to time, to such amount as to the directors may seem needful: *Provided however*, That the Southern Pennsylvania Railroad Company shall perfect the organization of their company, within three months after the passage of this act, and proceed immediately to locate and construct said road, and complete their main line, within three years.

SECTION 3. That the directors of said company be authorized to borrow, from time to time, such sums of money as to them may seem necessary, to provide for the construction and equipment of said railroad and branches, and to issue bonds therefor, in sums of not less than one hundred dollars each, at a rate of interest not to exceed seven per cent. per annum, to be redeemed at such time and place as the directors may agree upon, and may secure the same by one, or more, mortgages, from time to time, upon the whole, or any part, or parts, of

said railroad, its branches and extensions, hereby authorized, and upon all, or part, of the estate, real and personal, acquired, or to be acquired, thereto belonging, and upon all of the corporate franchises thereof, or such part as may be mortgaged.

SECTION 4. That the corporation, authorized to be created by this act, shall pay to the Pittsburgh and Connellsville Railroad Company whatever sum may be found due to them, by the appraisers, appointed by the governor of this commonwealth, for, or by reason, of the expenditures made by them, in, or upon, any line of railroad southwardly, or eastwardly, from Connellsville, or shall have the right to purchase from the Pittsburgh and Connellsville Railroad Company all the works so constructed.

To pay to the Pittsburgh and Connellsville Railroad Co. the amount found due them by the appraisers, &c.

SECTION 5. That the said Connellsville and Southern Pennsylvania Railway Company shall be, in respect to the construction of its roads, branches and extensions, entitled to all the privileges conferred by, and be governed by all the restrictions contained in, the act, entitled "An Act regulating railroad companies," approved the nineteenth of February, one thousand eight hundred and forty-nine, and shall be entitled to all the rights conferred by all the general laws of the commonwealth relating to railroad companies.

Subject to.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

We do hereby certify, that the bill, No. 1029, entitled "An Act to incorporate the Connellsville and Southern Pennsylvania Railway Company," was presented to the governor, on the twenty-ninth day of April, one thousand eight hundred and sixty-four, and was not returned, within three days after the meeting of the legislature, in extra session; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if it had been signed.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, August 19, 1864.

No. 915.

*An Act*

To incorporate the Little Anderson's Creek Navigation Company.

Corporators.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That James Irvin, Reuben H. Moore and Erastus Luther, and
Name.	such other persons as may hereafter subscribe to the capital stock, hereinafter created, be and they are hereby created into a body corporate and politic, by the name, style and title of the Little Anderson's Creek Navigation Company, with a capital stock of ten thousand dollars, to be divided into shares of ten dollars each; and the said corporation shall be capable, in law, to sue and be sued, plead and be impleaded, shall have a common seal, and shall have power to make and enforce such by-laws, rules and regulations, as may be necessary for the purposes of said company; and the said corporation shall
Capital stock.	use so much of their capital stock as may be necessary in improving the navigation of Little Anderson's creek, in Clearfield county, from the mouth thereof, up to the Cream Hill turn-pike, or as far as they may deem necessary; and the said corporation shall have the right to erect dams in said stream, shall have the right to enter on lands adjacent thereto, and use gravel, soil and timber therefrom, shall have the right to remove rocks, roots, trees and other obstructions, from said streams, and straighten and deepen the channels of said stream, so that logs and lumber may freely float therein: <i>Provided,</i> That the said company shall not interfere with the dams, now erected on said stream, further than may be necessary for the purposes of this act; and if any change therein be necessary, they shall construct the improvements and changes therein, at their own cost, and in such a manner as to preserve the water power in the condition in which they find it.
Powers and privileges.	
Election of officers, when to be held.	SECTION 2. The first meeting of the stockholders, for the election of officers, shall be held on the first Monday of September, one thousand eight hundred and sixty-four, and the future meetings, for that purpose, annually, on the first Monday of May, thereafter; and all the provisions of the fifth, seventh, eighth, ninth, tenth, eleventh and twelfth sections of the act to incorporate the Anderson Creek Public Road and Navigation Company, approved the twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-nine, are hereby made applicable to the corporation hereby created, and the stream to be improved, and the said company shall be entitled to all the privileges conferred thereby; said company may forthwith organize, by the election of officers, and whenever they have improved three miles upward, from the mouth of said stream, their privileges shall attach; and the election for
Certain provisions extended to.	
Organization.	
When privileges to attach.	

officers shall annually be held at Luthersburg, in Clearfield Place of holding  
county. election.

SECTION 3. The said company shall be required to file a bond, Required to file  
in the court of common pleas, of Clearfield county, to be ap- a bond in court  
proved by said court, in a sufficient sum to indemnify all per- of common  
sons, holding property on said stream, for any loss they may pleas of Clear-  
sustain by reason of said improvement. field county.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fourth day of August, Anno Domini  
one thousand eight hundred and sixty-four.

A. G. CURTIN.

## RESOLUTIONS

PASSED SESSION OF EIGHTEEN HUNDRED AND SIXTY-FOUR.

No. 1.

*Joint Resolution*

Requesting the Senate of the United States to pass the Resolution to extend the time for paying Bounties to Volunteers.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met,* That the Legislature of Pennsylvania has heard, with regret, of the action of the Senate of the United States, in negating the resolution of the National House of Representatives, extending the time for the recruiting of men, and paying government bounties to volunteers, until April first, one thousand eight hundred and sixty-four.

*Resolved,* That the Senate of the United States be hereby respectfully requested to re-consider their action, and pass said resolution, in order that the armies of the United States may be speedily filled.

*Resolved,* That the secretary of the commonwealth be directed, forthwith, to send a copy of these resolutions to the Vice President of the United States, and to each of our senators and representatives in Congress, with the request, that the same be laid before their respective houses.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 2.

**Joint Resolution**

Asking Congress to pass a law increasing the pay of private soldiers and non-commissioned officers in the army.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met,* That our representatives in Congress be requested to vote for and use their influence for the passage of a law, increasing the pay of private soldiers and non-commissioned officers in the army of the United States.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 3.

**Joint Resolution**

To supply certain Records and Papers.

WHEREAS, In the removal of papers and records from the state department, consequent by the rebel raid into our state, in June and July, one thousand eight hundred and sixty-three, in several instances, papers and records were lost, to the detriment and injury of many of our citizens; therefore,

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania,* That the secretary of the commonwealth be and he is hereby authorized and required to make certified copies of the same, from the pamphlet laws, or from the original records on file in either house, in which they may have originated, where the tax on any, or all such bills, acts of assembly, et cetera, and the supplements thereto, have been paid; when said certified copy, or copies of acts and supplements, shall be valid, and of full effect and force: *Provided however,* That the clerks of the respective houses, in which said acts and supplements originated, shall certify to the sec-

retary of state, that said copy, or copies, are true and accurate copies of the originals, as they passed the two houses.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 4.

## Joint Resolution

To pay Samuel J. Rea, for services as clerk in the contested election of M'Kee against Chambers.

SECTION 1. *Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be required to pay Samuel J. Rea, as clerk in the contested election case of M'Kee against Chambers, the *per diem* allowance made by existing law, together with the usual mileage allowed by law, upon the presentation of a certificate, embodying the facts, duly made out by the chairman of said committee, to the state treasurer, concerning the length of time served by the said Rea.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.



No. 5.

**Joint Resolution**

To pay expenses of the re-inauguration of Governor Curtin.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met,*  
That the sum of one thousand and ninety-two dollars and seventy-eight cents be and the same is hereby appropriated, out of the state treasury, to pay the expenses incurred by the legislative committee of arrangements, in the re-inauguration of Governor Andrew G. Curtin; the said amount to be paid by the state treasurer, to the persons entitled to receive the same, upon presentation of their respective claims, properly approved and certified by the chairman of said committee.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 6.

**Joint Resolutions**

Relative to an Executive Mansion.

WHEREAS, The commissioners, appointed under an act, entitled "An Act to authorize the purchase of an executive mansion," approved April two, Anno Domini one thousand eight hundred and sixty-four, have selected and purchased from Mary A. Coverly, a three-storied brick house, and the lot on which the same is erected, late the estate of Wells Coverly, deceased; said lot being fifty-two feet, six inches front on Front street, in the city of Harrisburg, and extending back two hundred and ten feet, to River alley; and as the consideration passing from the commonwealth therefor, they have sold to the said Mary A. Coverly, of said city, the house heretofore purchased for the residence of the governor, under the act, passed January eighteenth, one thousand eight hundred and fifty-eight, entitled "An Act to authorize the purchase of a residence for the governor:"

*And whereas,* The city of Harrisburg has appropriated the sum of twenty thousand dollars, towards the consideration, for the purchase of said house and lot :

*And whereas,* It is proper that a house, for the residence of the governor of this commonwealth, should be properly fitted up and furnished ; therefore,

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met,* That the contracts of purchase and sale, above mentioned, be and the same are hereby ratified : *Provided,* That before the deeds of said houses and lots shall be finally delivered to the respective parties, the attorney general shall certify to the governor, that the deed, from the said Mary A. Coverly, will pass a good title to the commonwealth, and the governor shall be satisfied that the said premises are free and clear of all incumbrances.

*Resolved,* That the faith of the commonwealth is hereby pledged, in case the seat of government thereof should, at any time, be removed from the city of Harrisburg, to re-pay to the said city the sum of twenty thousand dollars, appropriated, as above mentioned, towards the purchase of said house and lot.

*Resolved,* That the sum of five thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated, out of any money in the treasury, not otherwise appropriated, to fit up and furnish the said house, under the direction of the governor, and the bills therefor to be settled, in the usual manner, by the auditor general.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 7.

## Resolutions

Relative to the Pennsylvania Reserve Corps.

WHEREAS, By an act, entitled "An Act to create a loan, and provide for arming the state," approved May fifteenth, Anno Domini eighteen hundred and sixty-one, the governor was authorized and required to organize the Reserve Volunteer Corps of the commonwealth, to be composed of fifteen regiments, to be enlisted into the service of the state, for a period not ex-

ceeding three years, and to be liable to be mustered into the service of the United States, at such times as requisitions may be made by the President of the United States :

*And whereas*, After the Reserve Volunteer Corps had been organized and enlisted into the service of the state, as aforesaid, upon a requisition from the President, the said corps, or part of it, was mustered into the service of the United States ; so that, if the soldiers of said corps shall be required to serve for three years, from the date of their muster into the service of the United States, they will have served a longer time than their contract with the state and the provisions of the aforesaid act of assembly require :

*And whereas*, The legislature of Pennsylvania believe, that it will be justice to said soldiers, and not injurious to the military service of the United States, that they should be discharged from such service, at the end of three years from their enlistment into the service of the state ; therefore,

*Resolved*, If the Senate concur, that the President be and he hereby is earnestly solicited to discharge said soldiers from the service of the United States, at the end of three years from their enlistment into the service of this state.

*Resolved*, That the governor be requested to forward a copy of these resolutions to the President of the United States.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 8.

## Resolution

Relative to the protection of fishermen, in the waters of the Chesapeake and Delaware bays.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met*, That our Senators in Congress are hereby instructed, and our members in the House requested, to vote for such measures, as may be introduced into Congress, for the protection of our fishermen, who are in pursuit of their lawful calling, in the waters of the Chesapeake and Delaware bays.

*Resolved*, That the governor is hereby requested to send a copy of these resolutions to each of our Senators and members

of the House, in Congress, with a request to present the same to their respective houses.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 9.

## A Joint Resolution

Making an appropriation for the expenses of the Surgeon General's office.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That three thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money not otherwise appropriated, for the ordinary expenses of the hospital department, and for the care of the sick and wounded, up to June first, one thousand eight hundred and sixty-four; the vouchers to be furnished to the auditor general, and to be settled in the usual manner.

HENRY C. JOHNSON,  
Speaker of the House of Representatives.

JOHN P. PENNEY,  
Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 10.

## A Joint Resolution

Relative to the One hundred and Eighty-seventh Regiment, Pennsylvania Volunteers.

WHEREAS, By the message of his Excellency, the Governor, in reply to a resolution of the Senate, requesting information

from him, on the subject of the dissatisfaction existing in the One hundred and eighty-seventh regiment, Pennsylvania volunteers, it appears, that the said regiment was enlisted under and by virtue of general orders, number twenty, issued March twenty-fourth, one thousand eight hundred and sixty-four, by command of Major General Couch :

*And whereas,* The inference from said order is plain and manifest, that said regiment was to be enlisted for provost duty only, and for no other, and under that inducement, the men entered said service :

*And whereas,* It is greatly against the dignity of the United States government, as well as injurious to the service, to avail itself of any technical construction of said order, against the plain and manifest import of its terms, as represented by the agents of the government, and as held out to recruits, at the time of their enlistment thereunder :

*And whereas,* The citizens of this commonwealth in large numbers, as well as many of the members of this regiment, have complained to this legislature, of a supposed want of faith on part of the War Department, in ordering said regiment into active service :

*And whereas,* It is believed, that said regiment would not have been ordered into such service, had all the facts been fully known ; therefore,

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania,* That the President and commander-in-chief of the army of the United States be and he is hereby respectfully requested to cause the said regiment to be again assigned to provost duty within this state, in accordance with the said order, number twenty, issued by Major General Couch, as aforesaid.

*Resolved further,* That the governor of this state be requested to communicate the foregoing preamble and resolution to the President, together with the petitions received and presented to the legislature, a copy of said order, the message of the governor, and such other documents and papers, in possession of the governor, on this subject, as he may consider necessary, to the end that full justice may be done.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-fifth day of August, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 11.

**A Joint Resolution**

Proposing certain amendments to the Constitution.

*Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the following amendments be proposed to the constitution of the commonwealth, in accordance with the provisions of the tenth article thereof:*

There shall be an additional section to the third article of the constitution, to be designated as section four, as follows:

SECTION 4. Whenever any of the qualified electors of this commonwealth shall be in any actual military service, under a requisition from the President of the United States, or by the authority of this commonwealth, such electors may exercise the right of suffrage in all elections by the citizens, under such regulations as are, or shall be, prescribed by law, as fully as if they were present at their usual place of election.

There shall be two additional sections to the eleventh article of the constitution, to be designated as section eight and nine, as follows:

SECTION 8. No bill shall be passed by the legislature, containing more than one subject, which shall be clearly expressed in the title, except appropriation bills.

SECTION 9. No bill shall be passed by the legislature granting any powers, or privileges, in any case, where the authority to grant such powers, or privileges, has been, or may hereafter be, conferred upon the courts of this commonwealth.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

## APPENDIX—1854.

No. 916.

### An Act

To incorporate the Allegheny City and Freeport Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel D. Karnes, A. W. Lane, John White, of Armstrong county, and James Dickey, Francis Karnes, William Henderson, G. E. Warner, James M. Kier, George Thompson, Lewis J. C. Noble, John M. Porter and Hugh Fleming, of Allegheny county, be and they are hereby appointed commissioners to open books, receive subscriptions of stock, and organize a company, by the name, style and title of the Allegheny City and Freeport Railroad Company, with all the powers, and subject to all the duties, restrictions and regulations, prescribed by an act of assembly of this commonwealth, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, so far as the same are not altered and supplied by the provisions of this act.

Commissioners.

Title.

Subject to.

SECTION 2. That the capital stock of said company shall consist of two thousand shares, of fifty dollars each; which said capital stock may be increased, if the exigencies of the company shall require it, to any sum not exceeding one and one-half million of dollars, as the president and directors of said company may deem expedient.

Capital stock.

SECTION 3. That said company shall have the right to build and construct a railroad, from some point on the Ohio and Pennsylvania railroad, at, or near, Allegheny city, by way of the west side of the Allegheny river, to Freeport, in Armstrong county, with the right of making branches, not exceeding five miles in length, to connect with the North-Western, or any other, railroad, and to make the same with single, or double, track, and of any gauge, or width, that shall be deemed advisable by the president and directors of said company: *Provided*, That in making such connections, the parties shall mu-

Construction of road authorized Route.

Branches and connections, relative to.

Proviso.

Prohibition.	tually agree upon the terms: <i>And provided further</i> , That no part of said road shall be built and constructed within the limits of the city of Allegheny, unless the consent of the corporate authorities of said city be first obtained; and said company are hereby authorized to extend their road to the Great Western Iron Works.
Certain extension authorized	
May use road when any portion completed.	SECTION 4. That whenever any portion of said railroad shall be completed, the said company may use and enjoy the same, as fully, and in the same manner, as if the whole of said road were completed.
Authorized to borrow money and issue bonds	SECTION 5. That said company be and they are hereby authorized to borrow money, to an amount not exceeding the capital stock of said company, upon bonds to be issued by said company, whenever the said president and directors shall deem the issue of such bonds expedient: <i>Provided</i> , That the rate of interest, on said bonds, shall not exceed seven per centum per annum, and that said bonds shall be convertible into the stock of the said company, at the option of said company, and the holder, or holders, of said bonds; and that no bond shall be issued for a sum of less than one hundred dollars, and to be secured by mortgage upon the rights, privileges and franchises of said company.
Limitation.	
Interest to be paid to stockholders, on all instalments, &c.	SECTION 6. That the president and directors of said company are hereby authorized to pay to the stockholders, in the months of January and July, in each year, interest at the rate of six per centum, per annum, on all instalments paid by them, and to continue to pay the same, until the road shall be completed; and all the profits, or earnings, of the said railroad, within the said time, shall be credited to the cost of construction; but no interest shall be paid on any share of stock, upon which any instalment, that has been called for, remains unpaid; and the stock of said company shall not be subject to any tax, in consequence of the payment of the interest hereby authorized, nor until the net earnings of the company shall amount to at least six per centum, per annum, upon the capital invested.
Stock not subject to tax until certain time.	
Other corporations may subscribe.	SECTION 7. That any corporation shall be authorized to subscribe to the capital stock of said railroad company, and to make payments, on such terms and in such manner, as may be agreed upon by said company and proper corporation: <i>Provided</i> , That whenever bonds of the respective corporations are given in payment of subscriptions, the same shall not be sold by said company, in less amount than one hundred dollars; and such bonds shall not be subject to taxation, until the clear profits of said railroad shall amount to six per centum upon the cost thereof; and that all subscriptions, made in the name of any corporation, shall be held and deemed valid, if made by the proper authorities of the same.
Proviso.	
Damages, how to be settled.	SECTION 8. That in all cases of damages, where the owners of any lands, or tenements, and the said company, cannot agree upon the terms, the damages shall be settled in the same manner as like damages are settled by the Pennsylvania Railroad Company, under an act, supplementary to the act of incorporation of the Pennsylvania Railroad Company, passed



the twenty-seventh day of March, Anno Domini one thousand eight hundred and forty-eight.

E. B. CHASE,  
Speaker of the House of Representatives.

M. M'CASLIN,  
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER,

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## APPENDIX—1858.

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No. 917.

### An Act

To extend the charter of the Bloomsburg Railroad Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Bloomsburg Railroad Iron Company, Charter extended incorporated by act of the twenty-second of June, one thousand eight hundred and thirty-nine, be and the same is hereby extended for the term of fifteen years, from and after the expiration of its present charter, subject to all existing provisions of law, applicable to said company.

SECTION 2. That the corporate name of said company shall hereafter be the Bloomsburg Iron Company. Change of name

G. NELSON SMITH,  
Speaker pro tem. of the House of Representatives.

WILLIAM. H. WELSH,  
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

## APPENDIX—1861.

No. 918.

*An Act*

To incorporate the Greenwood Cemetery Company of New Castle, and to authorize Cyrus Clark, guardian of the minor heirs of James D. Clark, deceased, to sell and convey certain real estate.

Preamble.

WHEREAS, James D. Clark and William M'Clymonds, of Lawrence county, purchased a certain piece of ground in said county, which is partially described in an act of assembly, approved the third day of May, Anno Domini one thousand eight hundred and fifty-two, entitled "An Act to incorporate the Greenwood Cemetery Company of New Castle, Lawrence county, and exempting certain moneys, at interest, from taxation, in said county," and have laid out in burial lots, squares and avenues, for cemetery purposes, a large portion of said ground, and have sold numerous burial lots thereon, many of which are now used and occupied for the purpose of sepulture:

*And whereas*, No company was organized under the above recited act, and no deed, or other assurance, has been made for the lots, so sold, by reason of the death of the said James D. Clark, (whose minor children are under the guardianship of Cyrus Clark,) and the incumbrance, by a mortgage, upon the interest of said William M'Clymonds, in the said land:

*And whereas*, The interest of said M'Clymonds, in the said land, has been sold by the sheriff of said county, to Samuel D. Clark, David Sankey and Joseph Douthett:

*And whereas*, It is desirable that the title to said land (now used for cemetery purposes) should be vested in an incorporated company, who, at all times, can make title to the purchasers of burial lots; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Samuel D. Clark, David Sankey, Joseph Douthett and Cyrus Clark, and their successors, and all other persons, who may hereafter be associated with them, be and they are hereby created a body politic and corporate, in deed and in law, by the name, style and title of the Greenwood Cemetery Company of New Castle, and by that name shall have perpetual succession, and be able and capable, in law, to sue and be sued, in any court of law, or equity, and may have and use a common seal, and the same at pleasure to alter, or renew, and shall have power to purchase, have, hold and enjoy, to them and their successors, and all who shall be associated with them, all such lands as the said

Corporators.

Name.

Seal.

Privileges.

Samuel D. Clark, David Sankey, Joseph Douthett and Cyrus Clark, guardian as aforesaid, or either, or any, of them, shall convey to said company, with such other real estate as they may require: *Provided*, That the whole quantity shall not exceed twenty-five acres; and the said corporation shall have authority to receive gifts, or bequests, for the purpose of ornamenting, or improving, said cemetery, and to purchase and hold such personal property as they may deem necessary to carry out the object of this act, and when not required for said purpose, to dispose of the same. Proviso.

SECTION 2. The stock of said company shall consist of two hundred shares, of twenty-five dollars each, with the privilege to said company of increasing the same, to any number, not exceeding four hundred shares, by a vote of the stockholders, at a meeting called for that purpose. Capital stock.

SECTION 3. That the affairs of said company shall be conducted by a president, and any number of managers, not exceeding seven, who shall be elected by a majority of the votes cast by the stockholders of said company, on the first Monday in January, of each and every year; and in case no election shall be held, at the time specified, the officers of the previous year shall continue in office until others are elected; and at all elections for officers, each person, natural, or artificial, holding stock in said company, shall be entitled to one vote for each share of stock held by them. Election of president and managers.  
Votes.

SECTION 4. That the president and managers shall fill all vacancies which may occur in their own board, until the next election, and shall have power to lay out and ornament the grounds purchased for said cemetery, to erect such buildings thereon, or purchase the same, as shall be necessary for the enjoyment of the said cemetery, to lay out, sell and dispose of burial lots, to appoint all necessary officers, or agents, and fix their several duties and compensation, to sue for, recover and receive, all outstandings, arising from the sale of burial lots, heretofore sold in said cemetery grounds, and distribute the same to the parties who may be legally entitled thereto; and to make such by-laws, rules and regulations, as they may deem proper, for the government of lot-holders and visitors to said cemetery, and for the well ordering of the affairs of the corporation, not inconsistent with the constitution and laws of this commonwealth, and of the United States. Duties and powers of managers.  
By-laws.

SECTION 5. That every lot, conveyed in said cemetery, shall be held by the proprietor, for the purpose of sepulture alone, transferable with the consent of the president and managers, and shall not be subject to attachment, or execution; and that the said cemetery shall be forever hereafter exempt from taxation. Lots to be held for sepulture only.  
Transferable, &c.  
Exempt from taxation.

SECTION 6. That a certificate, under the seal of the corporation, of the ownership of any lot, or lots, in said cemetery, shall, in all respects, have the effect, as any conveyance from said corporation of such lot, or lots, would have, if executed, acknowledged and recorded, as conveyances of real estate are required to be, by the laws of this commonwealth. Certificates of ownership to have the effect of conveyances.

SECTION 7. That the said corporation are hereby authorized and required, upon the receipt of the purchase money in full, for

When and how to be executed, &c. any burial lot heretofore sold in said cemetery grounds, or other satisfactory arrangement in relation thereto, to execute and deliver to the purchaser, owner, or proprietor, of such lot, a certificate, as provided for in the sixth section of this act, under the hand of the president and seal of the corporation.

Roads, &c., not to be opened through grounds.~ SECTION 8. That no road, street, lane, or alley, shall be opened through the grounds of said corporation, occupied as a burial ground, except by and with the consent of the said corporation.

Penalty for injuries to tombs, fences, &c. SECTION 9. That any person, who shall wilfully destroy, mutilate, deface, injure, or abuse, any tomb, monument, grave stone, or other structure, placed in the said cemetery, or any fence, railing, or other work, for protection, or ornament, of said cemetery, or of any tomb, monument, grave stone, or other structure, placed therein, as aforesaid, or shall wilfully destroy, cut, break, or remove, any tree, shrub, or plant, within the limits of said cemetery, or shall shoot, or discharge, any gun, or other fire-arms, within said limits, shall be guilty of a misdemeanor, and shall, upon conviction thereof, before any justice of the peace, of the county of Lawrence, be punished by a fine, at the discretion of the justice, according to the aggravation of the offence, of not less than five, and not more than fifty dollars, or shall, on conviction thereof, in the court of quarter sessions of said county, be punished by a fine as aforesaid, and by imprisonment, according to the aggravation of the offence, at the discretion of the court.

Certificates of stock to be received in the purchase of lots. SECTION 10. That certificates of stock, issued to subscribers, shall be received from them, by said corporation, at their par value, in the purchase of lots by them, and that the moneys arising from the sale of burial lots and otherwise, in said cemetery, after deducting current expenses, shall be applied to redeem the residue of the said stock, which shall not be surrendered for lots, by paying back the original sums paid therefor, and six per centum, per annum, interest thereon, to be applied annually to the payment first of the interest, and then to the principal sum, *pro rata*, and so on, until the whole be redeemed; and after the stock shall be fully surrendered, in the purchase of lots, and redeemed in the manner above specified and required, the lot holders shall become members of the corporation, and each be entitled to vote for the officers thereof; and at all elections held thereafter, under this act, each member of the corporation shall be entitled to one vote, and no more:

How moneys arising from sale of lots to be applied. *Provided*, That all money raised thereafter, from the sale of lots, permits, interments, et cetera, shall be expended in improving, repairing and maintaining the said cemetery: *And provided also*, That until an election shall be held, under the provisions of this act, S. D. Clark, David Sankey, Joseph Douthett and Cyrus Clark, shall be managers of the corporation, and shall elect a president from their own number.

Votes.

Proviso.

Managers to act until election.

Provisions for burial of the poor, relative to.

SECTION 11. That in order to make provisions for the burial of the poor, each of the religious denominations, or churches, in the borough of New Castle, and its vicinity, that shall, in its corporate capacity, subscribe for stock in said cemetery company, shall, in addition to equal privileges with other stockholders, be entitled for each dollar's worth of stock subscribed and paid in by it, to the privilege of one interment of

a poor person, within such church, or congregation; certificates of the corporate officers, of such church, to the fact of the poverty of the deceased person, to be *prima facie*, but not conclusive, evidence of poverty: *And provided*, That said denominations shall not have the privilege of surrendering their stock for lots; but it shall be subject to be redeemed, as hereinbefore provided Proviso.

SECTION 12. That Cyrus Clark, guardian of the minor heirs of James D. Clark, late of the county of Lawrence, deceased, be and he is hereby authorized and empowered to sell and convey, in fee, to the company hereby incorporated, all and singular, the interest which the said several minor heirs may have, in the said plot of ground, known as the Greenwood Cemetery, situate in Union township, in the said county of Lawrence, and invest the proceeds of said sale in the stock of said company, or in such other security as the orphans' court of said county may direct. Cyrus Clark, guardian, authorized to sell to company incorporated.  
How proceeds to be invested.

SECTION 13. That so much of the act of the third day of May, Anno Domini one thousand eight hundred and fifty-two, above referred to, as relates to the incorporation of a cemetery company, be and the same is hereby repealed. Repeal.

STATE OF PENNSYLVANIA,  
*Hall of the House of Representatives.*

I, A. W. Benedict, Clerk of the House of Representatives, do hereby certify, that the foregoing is a *verbatim* copy of the original act, entitled "An Act to incorporate the Greenwood Cemetery Company of New Castle, and to authorize Cyrus Clark, guardian of the minor heirs of James D. Clark, deceased, to sell and convey certain real estate," as the same remains on the files of the House of Representatives, and which, by the journal of the House of Representatives, for the session of 1861, appears to have been signed by the governor, and information thereof, by message, transmitted to the House of Representatives. In testimony whereof, I have hereunto set my hand, this fifteenth day of June, one thousand eight hundred and sixty-four.

A. W. BENEDICT,

Clerk of the House of Representatives.

[Certified in accordance with the provisions of an act of the general assembly, entitled "Joint resolution to supply certain records and paper," approved March sixteenth, one thousand eight hundred and sixty-four.]

No. 919.

## An Act

To incorporate the Masonic Hall Association of East Liberty, in the county of Allegheny.

Corporators.	<p><b>SECTION 1.</b> <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i></p> <p>That Charles W. Batchelor, A. H. Gross, William B. Negley, Samuel Davis, John R. Negley, Alexander Negley, A. J. Davis, John H. Stewart, James S. Negley, William H. Denniston, George Finley, Henry Long, P. H. Lauffman and their successors, and all persons, who now are, or may hereafter be, associated with them, be and they are hereby created and erected into a body politic and corporate, in deed and in law, by the name, style and title of the Masonic Hall Association of East Liberty, in the county of Allegheny, and by that name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded, in any court of law, or equity, and elsewhere, and shall be able and capable, in law and equity, to take and hold, to them and their successors, either by grant, gift, devise, lease, or otherwise, any lands, or real estate, for the purpose of erecting thereon a suitable building, or buildings, for the use of the said association; and also, to take and hold, for the use of the said association, any goods and chattels, sum, or sums of money, by gift, grant, bargain, sale, will, devise, bequest, or otherwise, from any person, or persons, whatsoever, capable of making the same, and the same, at their pleasure, to grant, bargain and sell, for the use of the said association, and generally to do all and singular, the matters and things, which shall be lawful for them to do, for the well being and due management of the affairs of the said association: <i>Provided</i>, That the real estate of the said association shall not exceed the net yearly income of five thousand dollars.</p>
Title.	
Privileges.	
Proviso.	
Object.	<p><b>SECTION 2.</b> That the object of said corporation shall be to provide, erect and furnish a hall, or suitable building, or buildings, in the said district, for the accommodation of Masonic and beneficial associations, established, or to be established there, as well as suitable for public and business purposes generally.</p>
Seal.	<p><b>SECTION 3.</b> That it shall and may be lawful for the said corporation to have a common seal, and the same, at will and pleasure, to change, alter and renew, as they shall think proper, and shall have and exercise all the rights, privileges and immunities, necessary for the purposes of the corporation hereby constituted, and as herein expressed.</p>
Capital stock.	<p><b>SECTION 4.</b> That the capital stock of the said association shall be ten thousand dollars, to be subscribed for in shares of</p>

ten dollars each, to be paid in instalments, of such amounts, and at such times, as the stockholders, by a vote of the majority, at their first meeting, may direct and appoint; and the parties, herein named, are hereby empowered and authorized to open books and receive subscriptions for stock in the said association, and when three hundred shares shall have been subscribed, to call a meeting of the stockholders, for the purpose of adopting such laws and regulations, as may be expedient and necessary for the well being and government of the association; notice of the time and place of holding said first meeting to be given by advertisement, at least twice a week, for two successive weeks, in one daily newspaper, to be published in the city of Pittsburg.

Subscriptions,  
relative to.

First meeting of  
stockholders,  
when to be held.  
Notice.

SECTION 5. That the government of the said Masonic Hall Association, and the management and disposition of its affairs and property, shall be vested in a board of trustees, who shall be elected at such time, and in such manner, as the said association shall, by its by-laws, provide; and at the first meeting of the trustees, after their election, in each year, they shall elect a president, secretary and treasurer.

Government to  
be vested in a  
board of trus-  
tees.  
Election of.

Officers.

SECTION 6. That the trustees shall have power and authority to make by-laws conformable to this charter, and not in violation of the laws of the United States, or of this commonwealth.

By-laws.

#### STATE OF PENNSYLVANIA,

#### *Hall of the House of Representatives.*

I, A. W. Benedict, Clerk of the House of Representatives of Pennsylvania, do hereby certify, that the foregoing is a correct, *verbatim*, copy of the original act, entitled "An Act to incorporate the Masonic Hall Association of East Liberty, in the county of Allegheny," as the same remains on the files of the House of Representatives of this commonwealth, and which, by the journal of said House, for the session of one thousand eight hundred and sixty-one, appears to have been signed by the governor of the commonwealth, and information thereof, by message, transmitted to the House of Representatives. In testimony whereof, I have, this seventh day of April, one thousand eight hundred and sixty-four, affixed my hand.

A. W. BENEDICT,

Clerk of the House of Representatives.

[Certified in accordance with the provisions of an act of the general assembly, entitled "Joint resolution to supply certain records and papers," approved March sixteenth, one thousand eight hundred and sixty-four.]

No. 920.

## An Act

To incorporate the Warren and Tidoute Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That G. W. Scofield, J. Y. James, Orris Hall, W. D. Brown, Jacob Henrici, W. S. Cohell, Joseph Green, C. B. Curtis, J. L. Grandin, Thomas Struthers, S. P. Johnson, C. C. Wetmore, William Patton, J. S. Brown, C. Hall, S. M. Lawrence, E. Cowan, Boon Mead, Griffin Brown, R. P. King, L. F. Watson, Thomas M. Biddle, W. M. Wiley, L. Arnett, L. Rogers, George H. Bardwell, Eli H. Dunn, J. H. Vannamess, Matthew Hunter, J. J. Dull, E. T. F. Valentine, R. D. Bartlett, Henry Ettell, Francis Hook, and such others as may be associated with them, as stockholders in the company by this act created, are hereby incorporated into a company, under the name and

Name.

style of the Warren and Tidoute Railroad Company, for the purpose of constructing a railroad from, or near, the village of

Route.

Tidoute, in the county of Warren, or from some point opposite said village, in the township of Limestone, in said county of Warren, to intersect with the Philadelphia and Erie railroad, at such point as may be deemed most proper, in said county, with the privilege of extending the same to Franklin, in the county of Venango, or to any point between Tidoute and Franklin, that may be deemed advisable, and by such route as the engineers of said company shall decide to be most feasible, with a capital stock of two hundred and fifty thousand dollars, to be divided into shares of fifty dollars each; and it shall be lawful for the said company, in the construction of its bridges across the Allegheny river, to provide for the passage of wagons and other travel, and to receive tolls therefor, according to the provisions of the general act regulating bridge companies, approved April twelfth, one thousand eight hundred and fifty-five.

Capital stock.

Construction of bridges, &c., relative to.

Subscriptions to stock.

SECTION 2. That the corporators, herein named, or a majority of them, may open books, for the purpose of receiving subscriptions to the stock of said company, at such times and places as they may deem most advantageous to the company, after giving proper notice of the same; and it shall be lawful to receive subscriptions in labor, materials, or otherwise, under such regulations and conditions as a majority of the corporators may prescribe.

When meeting of corporators to be called.

Directors, election of.

SECTION 3. That when one-fourth of the capital stock shall have been subscribed, a meeting of the corporators shall be called, for the purpose of electing seven of their number directors, to serve until the next annual election for directors, to be held in pursuance of the by-laws, to be hereafter adopted; the directors aforesaid shall appoint one of their own number



as president of said railroad company, and shall also have power to appoint such other officers as they may deem necessary, to transact and carry on the business of said company. Officers

SECTION 4. That said Warren and Tidioute Railroad Company be and they are hereby authorized to extend their road northern, through the townships of Glade and Pine Grove, or Elk, in the county of Warren, by such route as the engineer of said company may decide, and to make and enter into any contract, or contracts, with any other railroad company in this state, or with any individual, or individuals, having reference to the completion, or working the said railroad, as may be deemed just and reasonable by the contracting parties, and shall also have power to borrow money, at any rate of interest, not exceeding eight per centum, and to secure the payment of the same, may mortgage said road, with all the privileges and appurtenances thereunto belonging: *Provided*, The amount borrowed shall not exceed the sum of one hundred and fifty thousand dollars. Authorized to extend their road and enter into contracts with other companies. May borrow money and mortgage road. Limitation.

SECTION 5. That the number of directors of the Warren and Tidioute railroad shall be composed of seven *bona fide* stockholders, who shall hold their office for the term of one year, and until their successors are elected; all elections for directors shall be by ballot, and the stockholders shall be notified of the time and place of such elections, by advertisement of the same in one or more papers, published in the county of Warren. Number, qualifications and term of stockholders. Notice of elections.

SECTION 6. That if the said company shall not commence their road, within six months, and complete the same, within two years, from and after the passage of this act, then the same shall be null and void, except so far as the same shall be necessary to settle up the affairs, and pay the debts of the said company. When road to be commenced and completed.

SECTION 7. That the said company shall be entitled to all the privileges, and subject to all the restrictions, of an act, entitled "An Act regulating railroad companies," approved the ninth day of February, Anno Domini one thousand eight hundred and forty-nine, except the second and last proviso of the eighteenth section thereof, except so far as is otherwise provided in this act. Subject to. Exception.

I, A. W. Benedict, Clerk of the House of Representatives of Pennsylvania, do hereby certify, that the foregoing and annexed is a correct, *verbatim*, copy of the original bill, entitled "An Act to incorporate the Warren and Tidioute Railroad Company," as the same remains in the file of the House of Representatives, of the session of one thousand eight hundred and sixty-one.

A. W. BENEDICT,

Clerk of the House of Representatives.

HARRISBURG, *March* 19, 1864.

[Certified in accordance with the provisions of an act of the general assembly, entitled "Joint resolution to supply certain records and papers," approved March sixteenth, one thousand eight hundred and sixty-four.]

## APPENDIX—1862.

No. 921.

## Supplement

To an act incorporating the Warren and Tidioute Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time specified in the sixth section of the act, to which this is a supplement, for the commencement and completion of the Warren and Tidioute railroad, is hereby extended two years.

Time for commencement and completion of road extended.

Authorized to increase capital stock.

Proviso.

SECTION 2. And it shall be lawful for the Warren and Tidioute Railroad Company to increase its capital stock, from time to time, and to issue bonds, to any amount, not exceeding its capital stock, in order to carry out the true intent and meaning of this act: *Provided*, That a majority vote of the stockholders, called for that purpose, shall first be had and obtained.

I, A. W. Benedict, Clerk of the House of Representatives of Pennsylvania, do hereby certify, that the foregoing and annexed is a correct, *verbatim*, copy of the original bill, entitled "Supplement to an act incorporating the Warren and Tidioute Railroad Company," as the same remains in the file of the House of Representatives, of the session of one thousand eight hundred and sixty-two.

A. W. BENEDICT,

Clerk of the House of Representatives.

HARRISBURG, *March 19, 1864.*

[Certified in accordance with the provisions of an act of the general assembly, entitled "Joint resolution to supply certain records and papers," approved March sixteenth, one thousand eight hundred and sixty-four.]

No. 922.

*An Act*

To incorporate the village of Linesville, Crawford county, into a borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the village of Linesville, in the county of Crawford, shall be and the same is hereby erected into a borough, under the name and title of the borough of Linesville, and shall be comprised within the following boundaries, to wit: beginning at a stake, in the edge of the public road, leading from said village of Linesville, to Penn-Line; also, in the line of land of Joseph Line and Jacob B. Hillman; thence south, along their line, and line between land formerly owned by Smith Line and Susan M'Kinney, two hundred and twenty-four perches to a stake, the north-west corner of land of R. P. Miller; thence east, along said Miller's north line, and others, and through land formerly owned by John Allen, three hundred and fifteen perches, or thereabouts, to a stake, in the west line of land of Benjamin Madison; thence north, along said line, about sixty-three perches, to the south-west corner of land of Simeon Lisk; thence east, along his line, twelve perches, to a stake, said Lisk's south-east corner; thence along said Lisk's east line, and east lines of L. D. Prouty, A. Miller and James Ladner, to said Ladner's north-east corner; thence west, to a public road; thence north, along said road to south line of land of John Ladner; thence west, about three hundred and fifteen perches, to the place of beginning; and, as a borough, shall be subject to all the provisions of the revised act, of one thousand eight hundred and fifty-one, relating to boroughs, with its several supplements, except as hereinafter provided.

SECTION 2. That the first election for corporate and other officers, of said borough, shall be held at the school house in Linesville, on the third Friday in April, Anno Domini one thousand eight hundred and sixty-two; and all subsequent elections shall be held at the said school house, and on the day fixed by law for holding such township elections; and O. F. Bush is hereby appointed judge of said first election, and L. D. Prouty and Smith Line, inspectors thereof, who shall be entitled to like pay, qualified in like manner, and subject to the same penalties, as judges and inspectors of township elections are by law; and the officers, elected at said election, shall be notified of such election, in the manner now prescribed by law, and returns of said election, made out and certified, according to the provisions of existing laws, and shall be filed in the office of the prothonotary of the county of Crawford, within ten days after the same shall have been held; and it is hereby made the duty of said judge, hereby appointed, to give public notice of the time and place of holding said elec-

Incorporation.

Boundaries.

Subject to.

Time and place for holding first election.

Judge and inspectors appointed.

Their duties, &amp;c.

- tion, by four, or more, printed, or written, handbills, to be stuck up in public places, within said borough, at least six days previous to the day fixed for holding said election.
- Corporate name SECTION 3. That from and after the passage of this act, the burgess and council, elected according to law, and their successors in office, shall be one body politic and corporate, by the name and style of the corporation of the borough of Linesville.
- Survey of streets, alleys, &c., to be made. SECTION 4. It shall be the duty of the burgess and council, as soon as the same can conveniently be done, after their election and qualification, to cause an accurate survey to be made of the streets, lanes and alleys, within the said borough; and when such survey shall be completed, shall cause two drafts, or plans thereof, to be made, with every explanation, necessary to the full understanding of the same; one of which plans shall be deposited in the office of the register and recorder of said county of Crawford, and it shall be lawful for the recorder in said office to record the same, and the other to be kept with the papers of the corporation; and at the time of making said survey, shall cause stakes to be set in the dividing lines of lots on each side of Erie street, which shall designate the corners of lots; and said survey and drafts, and such corners of lots, so indicated and made, shall henceforth be deemed conclusive, as to the courses, width and length, of the streets, roads, lanes and alleys, and the locality of such lots so indicated, and in the said drafts laid down and marked, as public streets, roads, lanes and alleys, shall be deemed and considered from thenceforth public highways, and the said drafts, so made and recorded, shall remain unalterable.
- Drafts, relative to. SECTION 5. That it shall be the duty of the corporate officers hereof, to make public, by not less than six written, or printed, handbills, to be put up in the most public places, in the said borough, setting forth every enactment, regulation, ordinance, or other general law, made by said borough, at least ten days before the same shall take effect.
- Ordinances, regulations, &c., to be published. SECTION 6. That the township of Pine, out of which the said borough is erected, and the said borough, shall be and remain one school district, as heretofore, and that the officers of election, of said township of Pine, shall hold the election for school directors, as heretofore, and the citizens of said borough shall be eligible to hold the office of school directors, and to vote at said election for school directors.
- School district.

I, George W. Hamersly, Clerk of the Senate of Pennsylvania, do hereby certify, that the foregoing is a correct, *verbatim*, copy of the original act, entitled "An Act to incorporate the village of Linesville, Crawford county, into a borough," as the same remains on the files of the Senate of this Commonwealth, and which, by the journal of said Senate, for the session of eighteen hundred and sixty-two, appears to have been signed by the Governor of this Commonwealth, on the twenty-second of March, eighteen hundred and sixty-two, and information thereof, by message, transmitted to the Senate.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, April 22, 1864.

## APPENDIX—1863.

No. 923.

*A Supplement*

To an act incorporating the Centreville Perseverance Company, of Bristol township, Bucks county, for the recovery of stolen horses, and other property, passed the twenty-sixth day of January, one thousand eight hundred and fifty-three

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of the Perseverance Company, of Bristol township, Bucks county, for the recovery of stolen horses, and other property, and the detection of thieves, be and the same is hereby changed, and it shall hereafter be known as the Emile Perseverance Company, of Bristol township and vicinity. Name changed.

SECTION 2. That in addition to the powers and immunities, conferred by the act to which this is a supplement, the company shall have power to elect a board of directors, and any additional number of officers, that may be found necessary to carry out the objects and designs of the company, the number to be fixed by the by-laws, and to levy such amount of assessments on its members, and to enforce the collection of the same, by law, as may be found necessary, for the payment of all losses and expenses attending the operations of the company. Additional powers conferred.

SECTION 3. That so much of the act, to which this is a supplement, as is inconsistent with, or supplied by, the provisions of this act, is hereby repealed. Repeal.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 924.

**An Act**

To authorize certain persons to sell real estate in the township of Menno, Mifflin county.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Caleb Wakefield, Ephraim Hazlet and W. W. M'Carthy, trustees of the Presbyterian church, in the village of Allen-ville, in the township of Menno, county of Mifflin, be and they are hereby authorized to sell and convey a certain lot of ground, in said township, with a church building thereon erected, and heretofore occupied by the Presbyterian congregation, of said township, as a place of worship, and make a deed therefor to the purchaser, in fee simple, and apply the proceeds thereof for the erection of a new house of worship.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 925.

**A Supplement**

To an act to incorporate the Allegheny City and Freeport Railroad Company, approved April thirteenth, Anno Domini one thousand eight hundred and fifty-four.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the opening of the books for the subscription and completion of the Allegheny City and Freeport Railroad Company is hereby extended for the further period of five years, from the passage of this act; and said act and supplements be renewed and revived in full force, except so far as the same is supplied by this supplement; and said books for

Act of incorpo-  
ration revived,  
&c.

said subscription may be opened at any time, or place, that a majority of said commissioners may direct.

SECTION 2. That H. W. Grant, of Butler county, John Kerns Commissioners and S. D. Kerns, of Allgheny county, A. W. Lane, W. S. substituted. hereby substituted as commissioners, instead of those mentioned in the first section of said act.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 926.

## An Act

To incorporate the Wilkesbarre and Philadelphia Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That S. G. Turner, George P. Steel, George M. Hollenback, Commissioners. Ziba Bennett and H. B. Wright, of the county of Luzerne, and George R. Carson, Charles W. Trotter, Henry C. Carey, Charles Gilpin, R. Gibbs and H. Nelson Burroughs, of the city of Philadelphia, or any four of them, be and they are hereby appointed commissioners, to open books, and receive subscription, and organize a company, by the name and style of the Wilkesbarre and Philadelphia Railroad Company, with Name. all the powers, and subject to all the provisions and restrictions, prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Subject to. one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall Capital stock. consist of twenty thousand shares, of fifty dollars each; and the company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock to so much as, in their opinion, may be necessary to complete and equip the said road, and carry out the true intent and meaning of this act.

SECTION 3. That said company shall have the right to build Construction of and construct a railroad, from a point on the line of the road road authorized of the Little Schuylkill Navigation, Railroad and Coal Company, and connecting, therewith, at, or near, the junction of

Route. the East Branch of the Little Schuylkill river, near the town of Tamaqua, in the county of Schuylkill, thence up the said stream, and down the Black or Nescopeck creek, to the coal basin, known as the Wyoming coal field, and terminating at, or near, the town of Wilkesbarre, in the county of Luzerne, or by such other route as may be deemed practicable; and it shall be lawful for the said company to lay out and construct branch railroads, not exceeding ten miles in length, and to connect with other railroads: *Provided*, That nothing in this act shall be so construed as to authorize the said company to construct their railroad, or any portion thereof, upon any route heretofore granted to any other company, and whose location shall be made, and construction commenced, in good faith, within nine months from the passage of this act.

May construct branches and connect with other roads. Proviso.

When to be commenced and completed. SECTION 4. That the said road shall be commenced, within three years, and shall be completed, within ten years, from the date of this act.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

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No. 927.

## An Act

To incorporate the Tivoli Steam Fire Hose Company, in the city of Philadelphia, and to authorize said company to erect a market house.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all and every the persons that shall, at the time of passing this act, be members of the association, called the Tivoli Steam Fire Hose Company, in the city of Philadelphia, shall be and they are hereby elected and declared to be one body politic and corporate, by the name, style and title of the Tivoli Steam Fire Hose Company, of the city of Philadelphia, and by the same, shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded, in all courts of record, or elsewhere; and also, the said corporation and their successors, at all times hereafter, be able to purchase, receive, have, hold and enjoy, to them and their successors, all and all manner of lands, tenements, rents, annuities, liberties,

Incorporation.

Title.

Privileges.



franchises and other hereditaments, goods and chattels, of whatsoever nature, kind, or quality soever, real, personal, or mixed, or *choses* in action, and the same, from time to time, sell, alien, grant, demise and dispose of: *Provided*, That the clear yearly value and income of the said corporation shall not exceed two thousand five hundred dollars; and also, make and have a common seal, and the same to break and renew at pleasure; and also, to ordain, establish and put in execution, such by-laws, ordinances and regulations, as shall appear necessary and convenient for the government of the said corporation, not being contrary to this charter, or the constitution and laws of the United States, or of this commonwealth; and generally to do, all and singular, the matters and things which to them it shall lawfully appertain to do, for the well being of the said corporation, and the due management and ordering of the affairs thereof: *And provided further*, That said company shall at all times be subject to such rules and regulations, for the government of the fire department of the city of Philadelphia, as are now, or may hereafter be, enacted by the corporate authorities of the said city. Proviso.  
By-laws.  
Subject to.

SECTION 2. That nothing in this act contained shall be deemed to authorize the said company to engage, either directly, or indirectly, in any banking, moneyed, commercial, or manufacturing concern. Prohibition.

SECTION 3. That the legislature reserves the power to alter, revoke, or annul, the privileges and charter hereby granted, whenever, in their opinion, the same may be injurious to the citizens of the commonwealth; in such manner, however, that no injustice shall be done to the corporators. Reservation.

SECTION 4. That said corporate body shall have the right to build upon any portion of their premises, now or hereafter to be occupied by them, a market house, for the accommodation of farmers, bringing their produce to the city. Authorized to build market house.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 928.

## A Supplement

To an act to incorporate the Philadelphia and Montgomery County Railroad Company, approved April second, one thousand eight hundred and sixty.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the term, within which the Philadelphia and Montgomery County Railroad Company shall commence the construction of their said railroad, shall be and the same is hereby extended for the term of two years from the passage of this act, and that the term, within which said railroad shall be completed, shall be and the same is hereby extended for the term of three years from the passage of this act.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 929.

## A Supplement

To an act to incorporate the Towanda Railroad Company, approved March fourth, Anno Domini one thousand eight hundred and sixty-three.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president of said company may reside out of the state, but at least three of the directors shall be resident citizens of this commonwealth; and the said company may commence their railroad at the Barclay railroad, at Towanda, or at any point on said road, within eight miles of Towanda; and the eighth section of the act, to which this is a supplement, is

hereby repealed, except so much thereof as provides for the payment of a bonus and taxes to the state.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 930.

## An Act

To incorporate the Philadelphia Public Bathing Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of providing a means of public health for the people of Philadelphia, George F. Gordon, Isaac S. Cassin, Thomas Ellis, John H. Wheeler, George R. Johnson, Joseph Megary, Alexander T. Dickson, J. B. McGinley, William Kelly, Lewis Snell, Charles D. Supplee, William P. Hibberd, W. G. Skillman, William S. Gregory and S. C. Collins, shall be and they are hereby declared to be a body politic, or corporate, under the name of the Philadelphia Public Bathing Company, to have succession as such, to be capable in law of suing, or being sued, in all courts whatsoever, to have a common seal, and alter the same at pleasure, to ordain by-laws, and generally all such rules and regulations as may be proper for the management of the said corporation.

SECTION 2. That the corporation, hereby created, shall have power and authority to construct a one-story building for bathing purposes, on the river Schuylkill, below the dam at Fairmount, on the east side of the river, from the "wheel-house" to the wire bridge, and extending west-ward, into the said river, seventy feet, the right to locate said bath house at Fairmount having been granted by the select and common councils of the city of Philadelphia, to the said Philadelphia Public Bathing Company.

SECTION 3. That the capital stock of the corporation, hereby created, shall not exceed two hundred and fifty thousand dollars, divided into shares of ten dollars each, or into mortgage bonds, of not less than one hundred dollars each, bearing interest at the rate of seven per centum per annum, secured by mortgage on the property, income, revenue and franchises

Corporators.

Name.

Seal.

By-laws.

Authorized to construct a building for bathing purposes.

Location.

Capital stock.

Mortgage bonds, relative to.

**Transferable.****May issue bath tickets.****How surplus of income to be applied.****Buildings and property to be presented to Philadelphia, when liabilities all paid, &c.****Powers.****Corporators to act as directors.****Subscriptions to stock.**

and corporate privileges of the said corporation, with the same effect as any company incorporated in this commonwealth may, or can do; and the said stock and bonds shall be transferable, under such regulations as the said corporation shall prescribe.

SECTION 4. That this corporation is authorized to issue bath tickets, at such rates as may be determined upon by the board of directors; and the surplus of all revenues and income of the said corporation (after paying expenses) shall be applied to the purchase and funding of its stock and mortgage bonds, and to no other purpose; and when the profits, arising from the income and management of this corporation, shall have paid all its liabilities and funded its stock and bonds, then the directors of this corporation shall present, to the city of Philadelphia, the buildings and property of this corporation, as a free gift, to be managed by the said city, for the health and enjoyment of the people forever; and the powers and franchises, herein granted, shall then cease and determine.

SECTION 5. That this corporation shall exercise all rights and powers as are, or may be, properly incident to the management of a corporation, having for its object the purposes herein stated; and until otherwise ordered by the by-laws, the persons, named in the first section of this act, shall be held to be the directors of this corporation, and shall have power and authority as such, and shall receive subscriptions to the stock of this company, in such manner as a majority of them may direct and provide.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 931.

## An Act

To incorporate the Atlantic Navigation Company.

**Corporators.**

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James D. Whetham, Henry T. Grout, F. F. Wolgamuth, Moses H. Emery, Henry J. Johnson, Joseph Mountain, Junior, William Aldrich, John C. Miller, F. A. Plummer, be and they are hereby declared to be a body corporate and politic, under

the name, style and title of the Atlantic Navigation Company, to have perpetual succession as such, to be capable in law of suing and being sued, in all courts whatsoever, to have a common seal, and the same to alter, break and renew, at pleasure, to purchase, own and employ, charter, build and equip, in the fullest manner, all ships, and other vessels, to be sailed, propelled by steam, or in any manner navigated, upon the Delaware river bay, the Atlantic ocean, and upon all navigable waters, to or from the city of Philadelphia, and to or from any port of the United States, or elsewhere, for the carrying of passengers, transporting mails, merchandize, et cetera, and to hold and use all necessary rights and powers, for loading, receiving and delivering, of merchandize, mails, passengers and matters, thus transported; and to sell and dispose of the said ships, or vessels, and their appurtenances, or any part thereof, whatsoever; and further, to make all needful by-laws, rules and regulations, as, from time to time, shall seem expedient and proper, for the promotion of the interests of the said corporation, not inconsistent with the constitution and laws of the United States, or this commonwealth.

SECTION 2. That the government of the said company, and the management and disposition of its affairs and property, shall be vested in a board of seven directors, who shall be elected annually, by the stockholders, at such time and in such manner as the by-laws shall provide; but in case of failure to elect at the said annual meeting, the share-holders, present, may adjourn, from time to time, until such election shall be made; each stockholder shall be entitled to cast one vote in person, or by proxy, for each share of stock by him, or her, held in the said company; the directors shall, at the first meeting after their election, in each year, elect from their number a president, vice president, secretary and treasurer, and such other officers as the wants of the company may require.

SECTION 3. That the capital stock of said corporation shall consist of five thousand shares, of fifty dollars each, to be called in from time to time, as the necessities of the company may require, and shall be transferable, under such regulations and restrictions as the by-laws may enjoin.

SECTION 4. That the persons named as corporators, in the first section of this act, shall be held to be the directors of the said corporation; and they, or a majority of them, shall have power and authority, as such, to procure and open stock books, and receive subscriptions to the stock of said corporation, and shall continue to act as directors, until their successors shall have been duly elected, agreeably to the second section of this act.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 932.

## A Supplement

To an act, entitled "An Act to incorporate the Attleborough Railroad Company," approved the second day of April, one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the time for commencing the Attleborough railroad is hereby extended for a period of five years, to be computed from the second day of April, one thousand eight hundred and sixty-three.

JOHN CESSNA,  
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,  
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 933.

## A Supplement

To the act incorporating the Warren and Tidioute Railroad Company, approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the commencement and completion of the Warren and Tidioute Railroad be and the same is hereby extended for the term of two years, from and after the passage of this act; and that the corporators, or any of them, may, within six months from and after the passage of this act, pay any enrolment tax due the state, when the said Warren and Tidioute Railroad Company shall be entitled to all the privileges and benefits of the original act of incorporation, as well as the supplements thereto.

SECTION 2. That the said Warren and Tidioute Railroad Company be and are hereby authorized to make and issue

Time for commencement and completion of road extended.

Enrolment tax.

mortgage bonds, with coupons attached, to an amount not exceeding fifteen thousand dollars per mile of their road, so constructed, under the general terms and provisions authorized in their charter, for mortgage bonds, and to secure the same by a mortgage on all the property, privileges and franchises of the said company.

SECTION 3. That the said Warren and Tidouste Railroad Company shall have power to connect their road, by a branch, with the Philadelphia and Erie railroad, at, or near, Ridgeway, in the county of Elk.

SECTION 4. That the name of J. H. Vanamer, one of the corporators named in the original act, and now deceased, be stricken out, and the name of J. T. Ray be inserted, with the like force and effect, as though the said Ray were named as one of the original corporators: *Provided*, That nothing in the provisions of this act shall be so construed as to interfere with any of the rights and franchises of the Oil Creek Railroad Company.

JOHN CESSNA,  
Speaker of the House of Representatives.  
GEORGE V. LAWRENCE,  
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 934.

## An Act

Relative to the Western Pennsylvania Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter, corporate powers and privileges, of the Western Pennsylvania Coal Company, are hereby revived and extended, for the further term of twenty years from the passage of this act; and said company shall have power to borrow money, on bond and mortgage, to an amount not exceeding fifty per centum of its capital stock.

JOHN CESSNA,  
Speaker of the House of Representatives.  
GEORGE V. LAWRENCE,  
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 935.

# An Act

To incorporate the Williamsport Passenger Railway Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

**Commissioners.** That J. W. Maynard, Oliver Watson, Robert Ferris, Thomas Smith, V. S. Doebler, G. W. Lentz, Peter Hurdie, Henry White, John White, John B. Beck, S. M. Crans, be and they are hereby appointed commissioners, to open books and sell stock, in accordance with the provisions of the general railroad law, and organize a company, by the name, style and title of the Williamsport Passenger Railway Company; which said company shall have power to lay out and construct a railway, commencing at Third and Market street, in the borough of Williamsport, Lycoming county, and continuing westwardly, along Third street, or any other street, in said borough, to the village of Newberry, in said county, and eastwardly, through said Third street, or any other street, or streets, in said borough, as may be deemed advisable by the said company, to and through the borough of Montoursville, with the right to construct branches to the main track of said passenger railway, through any of the said streets of this borough of Williamsport, with single or double track, and shall have power to convey passengers over the same; and the said company shall also have the right to purchase real estate, and to erect thereon such buildings and improvements as may be deemed expedient and necessary for the purposes of said company; and, also, to purchase the necessary equipments for said railway: *Provided*, That no freight, or burden trains, or locomotives, shall be permitted to pass over the same.

**Title.**

**Route.**

**Authorized to construct branches.**

**Privileges.**

**Prohibition.**

**Capital stock.** **SECTION 2.** That the capital stock of said company shall consist of two thousand shares, of twenty-five dollars each: *Provided*, That said company may, from time to time, by a vote of the stockholders, at a meeting convened for that purpose, increase their capital stock as much as, in their opinion, may be necessary to complete said railway, or railways, and to carry out the true intent and meaning of this act.

**When road to be commenced.** **SECTION 3.** That the said company shall have the right to commence the construction of their railway, as soon as two thousand dollars shall have been paid into the treasury thereof, by the stockholders

**Dividends, relative to.** **SECTION 4.** That the dividends of so much of the profits of said company, as shall appear advisable to the directors, shall be declared in the months of January and July, in each and every year, and be paid at the office of the said company, any time after ten days from the time of declaring the same; but said dividends shall, in no case, exceed the amount of the net



profits of said company, so that the capital stock shall never be impaired thereby; and if said directors shall make any dividend, impairing the capital stock of said company, the directors consenting thereto shall be liable, in their individual capacities, to said company, for the amount so divided; and each director present, when such dividends shall be declared, shall be considered as consenting thereto, unless he, or they, enter protest upon the minutes of the board, and give public notice of the same.

SECTION 5. That the said company shall make and have a Seal. common seal, and the power to alter, or renew, at pleasure; and, also, to ordain, establish and put in execution, such by-laws, ordinances and regulations, as shall appear necessary, or convenient, for the government of said corporation, and not being contrary to the constitution and laws of the United States, or of this commonwealth, and generally to do, all and singular, the matters and things which, to them, it shall lawfully appertain to do, for the well-being of said corporation, and the due ordering and managing of the affairs thereof. By-laws.

SECTION 6. That the said company shall have power to elect, or appoint, a president and five directors, a majority of whom shall be citizens of Williamsport, and such other officers as may be deemed necessary, or expedient; and in every election for officers, each share of stock shall entitle the holder to one vote. Election of officers.

SECTION 7. That said company shall have power to raise, on bonds, any sum, not exceeding one-half of their capital stock, for the purpose of carrying out the true intent of this act: *Provided*, That said bonds shall not be issued for a less sum than fifty dollars each. Bonds may be issued. Proviso.

SECTION 8. That the said railway company shall not connect with any railroad, other than for passenger purposes, and of the same gauge, under the penalty of a forfeiture of their charter; and the said company shall annually pay into the treasury of the borough of Williamsport, for the use of said borough, whenever the dividends shall exceed six per centum per annum on the capital stock, the sum of six per centum per annum on the said dividends thus declared: *Provided*, That whenever any damages may be sustained, by reason of this company taking possession of lands, or other property, other than above described, except so far as the usufruct of the before named streets, necessary to the full and perfect enjoyment of the purposes, by this act designed, the said damages shall be assessed and paid in the manner, and according to the provisions of the eleventh section of the act of nineteenth of February, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies:" *And provided further*, That the borough councils may, from time to time, by ordinance, establish such regulations, in regard to said railway, as may be required, for grading, culverting, and the laying of gas and water, in and along said streets, and to prevent obstructions thereon. Not to connect with any road other than for passenger purposes. To pay per centage on dividends to borough. Damages, how to be assessed and paid.

SECTION 9. That said company, in constructing said road, shall conform to the grades now established, or hereafter to be by law established, of the several streets, roads, or avenues, Company to conform to established grades, &c.

traversed by said road, and keep the same in good repair, at the proper expense of said company.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

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No. 936.

## An Act

To incorporate the Lock Haven Water Company.

Commissioners	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Philip M. Price, L. A. Mackey, H. L. Dieffenbach, Allison White, William Parsons, Charles Blanchard, J. W. Chapman, Phaon Jarrett, Simon Scott, H. T. Beardsley, C. A. Mayer, S. D. Ball, William White, David Carskaddon, Jacob Grafius, D. M. Peck, Jacob Bower, Nehemiah Shaw, Henry Hipple, James T. Leyden, W. W. Morrison, B. R. Petriken, W. A. Simpson, Rufus Reed, James Chatham, G. C. Harvey, A. Farrandsworth, Jacob Brown and Proctor Myers, be and they are hereby appointed commissioners, and they, or a majority of them, are hereby authorized to carry into effect the establishment of a water company, to be located in the borough of Lock Haven, and to be styled the Lock Haven Water Company, for the purpose of introducing, from any stream of water within the county of Clinton, into the said borough of Lock Haven, a sufficient supply of pure water; said company shall have a capital stock of fifty thousand dollars, to be divided into shares of twenty-five dollars each, and shall be organized, managed and governed as provided by the act, entitled "An Act to provide for the incorporation of gas and water companies," approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven, and be subject to all the restrictions and provisions, and have and enjoy all the rights and privileges, contained in said act, except as herein otherwise authorized and provided.</p>
Name.	
Capital stock.	
Subject to.	

SECTION 2. That it shall be lawful for the said company, by its agents, or employees, to enter upon and take possession of any lands, or enclosures, stream, or streams of water, within the county of Clinton, which they may deem necessary for the purposes of this act, upon giving to the owner, or owners thereof, a bond, in a sufficient amount to cover all damages that may thereafter be assessed, in accordance with the provisions of the eleventh section of said act, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven; which bond shall have two sureties, to be approved of by one of the judges of the court of common pleas of Clinton county, and shall be filed in the office of the prothonotary of said court, prior to the said company taking possession as aforesaid; upon which said bond, the owner, or owners of any property, taken by said company, in pursuance of the provisions of this act, his, or their heirs and assigns, shall have the right to sue for, and recover thereon, the amount of damages assessed, in accordance with the provisions of the said eleventh section of the act, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven.

Authorized to enter upon and take possession of lands, &c.

Damages, how to be assessed and paid.

SECTION 3. That the chief burgess and town council of the borough of Lock Haven, and any incorporated company, having occasion to use the water that may be supplied by the said Lock Haven Water Company, are hereby authorized to subscribe to the capital stock of said company any number of shares that each of them, respectively, may deem proper, in which event, the said borough of Lock Haven and corporators shall have the right to vote at the elections of said water company, under the same provisions as individual subscribers, or stockholders; and they are hereby authorized to issue their bonds, with, or without, interest coupons attached, payable at such times, and on such terms, as they may deem proper: *Provided*, That no bond shall be issued for a less denomination than fifty dollars.

Borough authorities of Lock Haven may subscribe to stock.

Votes.

Bonds to be issued.

Proviso.

SECTION 4. That the said Lock Haven Water Company, for the purpose of carrying into full effect the objects of this act, may borrow any sum, or sums of money, not exceeding ten thousand dollars, and issue their bonds therefor, at such rates of interest, and in such sums, and upon such terms of payment, as may be agreed upon between the parties, and secure the payment of said bonds, by mortgaging their corporate property, rights and franchises: *Provided*, That no bond shall be issued for a less denomination than one hundred dollars.

Company authorized to borrow money and issue bonds therefor.

Limitation.

SECTION 5. That the powers, franchises and privileges, granted by an act, entitled "An Act to incorporate the Lock Haven Gas and Water Company," approved the eleventh day of February, Anno Domini one thousand eight hundred and fifty-four, and the supplements thereto, so far as the same relate to the introduction of water into the said borough of Lock Haven, by the said Lock Haven Gas and Water Company, be and the same are hereby revoked; and the said last mentioned act, and its supplements, so far as the same are in any

Privileges granted to a certain company revoked.

Repeal.

way inconsistent with the provisions of this act, be and the same are hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 937.

## An Act

To incorporate the Pennsylvania Grape Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That J. S. Parker, M. D., E. W. Earl, William L. Imley, Henry W. Scott, Henry T. Grout, William A. Newell, J. C. Knox, Jeremiah Mott, C. L. Goehring, Samuel H. Lloyd, Jesse A. T. Laws, J. A. Anderson, Charles G. Imley, Stephen Benton, and their associates, and all persons who may hereafter be holders of the stock hereinafter mentioned, shall and they are hereby declared to be a body politic, or corporate, by the style of the Pennsylvania Grape Company, with authority to employ its moneys in the culture of grapes and other wine substances, and in the encouragement of the growth thereof, and in the manufacture of wines and other beverages therefrom.

Title.

Privileges.

Real estate.

SECTION 2. That the real estate, which it shall be lawful for this corporation to hold and convey, shall be such as may be requisite for its immediate accommodation and the convenient transaction of its business.

Capital stock.

SECTION 3. That the capital stock of said corporation shall be five thousand dollars, with privilege to increase the same to one hundred thousand dollars, divided into shares of ten dollars each.

Election of directors, &amp;c.

SECTION 4. That a general meeting of the stockholders shall be annually held on the first Monday in January, for the election of five directors, and the transaction of other business; but if such meeting, or election, shall not take place, the corporation shall not, for that cause, be dissolved, but such meeting, or election, shall take place thereafter, as soon as may be, two weeks' previous notice thereof being given in one or more daily newspapers, in the city of Philadelphia, or Harrisburg.

Notice.

SECTION 5. That the election of directors shall be by ballot, Votes.  
from among the stockholders; and that on the enactment of  
the by-laws, for the government of the corporation and its  
officers, and in the decision of all questions, the stockholders  
present, either in person, or by proxy, shall severally have one  
vote for each share of stock held by them.

SECTION 6. That the directors shall continue in office until Powers of direc-  
their successors be elected: shall elect a president from among tors.  
themselves; shall supply vacancies in their number, whether  
occasioned by death, resignation, or other cause, and shall have  
general and entire control of the affairs of the corporation, un-  
less otherwise provided by the stockholders; and at their meet- Quorum.  
ings, three members shall constitute a quorum.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one  
thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 938.

## An Act

To incorporate the Williamsport Car Manufacturing Company.

SECTION 1. *Be it enacted by the Senate and House of Represen-  
tatives of the Commonwealth of Pennsylvania in General Assem-  
bly met, and it is hereby enacted by the authority of the same,*  
That Thomas Smith, E. S. Lowe, Peter Herdic, V. S. Doebler, Corporators.  
P. A. Moltz, Henry White, Samuel M. Beck, Andrew Hep-  
burn, O. Watson and Henry C. Parsons, and their associates,  
or persons who shall become stockholders, be and the same are  
hereby made and constituted a body politic and corporate, in  
law, by the name, style and title of the Williamsport Car Name.  
Manufacturing Company; and, by the said name, they and  
their successors shall and may have perpetual succession, and Powers and  
shall, in law, be capable of suing and being sued, pleading privileges.  
and being impleaded, in all courts of law, or equity, within  
this commonwealth, or elsewhere, and also of contracting and  
being contracted with, relative to the business and objects of  
the corporation, as hereafter declared; and they, and their as-  
sociates and successors, as aforesaid, shall have power to  
lease, or purchase, in fee simple, such real estate as may be  
necessary for carrying on the business of said corporation.

- Business of corporation, relative to.** SECTION 2. That the business of this corporation shall be confined to the manufacturing and sale of all kinds and descriptions of railroad cars, together with everything that may be used, or be necessary, in the building, or construction, thereof.
- Capital stock.** SECTION 3. That the capital stock of said company shall be twenty thousand dollars, to be divided into eight hundred shares, of twenty-five dollars each, with the right to commence the execution of their business, whenever two hundred shares of said capital stock shall have been subscribed, and to increase said capital stock, from time to time, as the board of directors of said company shall deem necessary.
- Authorized to borrow money and secure payment thereof by mortgage.** SECTION 4. The managers of said company are hereby authorized and empowered, should the same be deemed necessary, to borrow any sums of money, in their corporate capacity, not exceeding ten thousand dollars, for the purpose of aiding them in the erection of their necessary shops and buildings, and to secure the payment of the same, may make and execute a mortgage, or mortgages, pledge, or pledges, of the property, or effects, of said corporation, or give such other evidence of indebtedness as may be agreed upon; and the said managers shall provide for the payment of the interest upon any loan, made under this section, out of the receipts of said company, before any dividends shall be paid to the stockholders.
- Corporators to act as directors until election.** SECTION 5. That the management and control of the Williamsport Car Manufacturing Company shall be vested in the persons, named in the first section of this act, until the period herein fixed for the regular election of directors of said company, who shall choose, from their number, a president, treasurer and secretary, who shall meet, from time to time, and at such places, within the borough of Williamsport, Lycoming county, as a majority of them may deem necessary, for the purpose of receiving subscriptions to the capital stock of said company; and the stockholders of said company shall meet annually, on the first Tuesday of May, at such place as may be determined upon, and elect five directors for said company, all of whom shall be stockholders of said company, who shall select from their number, as aforesaid, a president, secretary and treasurer, for said company; the notice for said election for directors, as aforesaid, and the manner of conducting the same, to be provided for in the by-laws of said company; and in all elections, to be held by said corporation, each share of stock shall entitle the holder thereof to one vote, and no share shall confer the right of voting, which shall not have been holden one calendar month, prior to the day of election, nor unless it be holden by the person in whose name it appears, absolutely and *bona fide*, in his, or her, own right, or in the right of his wife, or for his, or her, sole use and benefit, as an executor, administrator, trustee, or guardian, or in the right and for the use of some co-partnership, corporation, or society, of which he, or she, may be a member: *Provided*, That the restrictions, in relation to the qualifications of voters, in this section, shall not extend to the first election held under this act.
- Notice.**
- Qualifications of voters.**
- Proviso.** SECTION 6. That the said company shall procure certificates

of evidence of stock, for all the shares of said company, and shall deliver one certificate, signed by the president, and countersigned by the secretary, and sealed with the common seal of said corporation, to each person, for such share, or shares, of stock, as are by him, or her, respectively owned; which certificates of stock shall be transferable only by the owner thereof, in person, or by attorney, duly authorized for that purpose, in the presence of the president, or secretary, in a book kept for that purpose by said corporation.

Certificates of stock, relative to.  
Seal.  
Transfers.

SECTION 7. That the said company shall make and have a common seal, and the right to alter, or renew, the same at pleasure; the board of directors of said company shall meet at such times and places as shall be provided for in their by-laws; three of said board shall constitute a quorum, who, in the absence of the president, may choose a chairman, and shall keep minutes of their transactions, fairly entered in a book, to be kept for that purpose; and a quorum being formed, they shall have power and authority to purchase as much real estate as may be necessary for the erection of such, and as many buildings, as said company may require, for carrying on their operations, to appoint all officers, and employ such assistance, as may be necessary to carry out the objects of this corporation, to direct what orders shall be drawn upon the treasurer, which shall be signed by the president, and countersigned by the secretary, to fix all salaries, and to enact by-laws, for the proper regulation and government of said corporation, and generally to do such matters, acts and things, as by this act, and the by-laws of such corporation, they are authorized to do.

Duties and powers of directors.  
By-laws.

SECTION 8. That the board of directors, of said company, shall make dividends of so much of the net profits of the company, as shall appear to them advisable, on the first Mondays of May and November, of each and every year, which shall be paid the stockholders, on demand, thirty days after the same shall have been declared.

Dividends.

SECTION 9. That if any person, or persons, shall wilfully, or maliciously, do, or cause to be done, any act, or acts, whereby any building, construction, works, or materials, of said company, shall be injured, or destroyed, the person, or persons, so offending, shall be guilty of a misdemeanor, and may, therefore, be indicted in the court of quarter sessions of the proper county, where the same shall have been committed, and, on conviction thereof, shall be punished by fine, not exceeding five hundred dollars, or to be imprisoned, not exceeding one year, or both, in the discretion of the court: *Provided*, That such criminal prosecution shall not, in any way, impair the right of said company to a full compensation, in damages, in a civil suit to be brought therefor.

Penalty for damages to buildings, &c.  
Proviso.

JOHN CESSNA,  
Speaker of the House of Representatives.  
GEORGE V. LAWRENCE,  
Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No 939.

## An Act

To authorize the guardian of Eliza Jane Oliver, a minor, to convey certain real estate, in Armstrong township, Indiana county.

WHEREAS, The widow and heirs of Alexander Pattison, late of Armstrong township, Indiana county, deceased, by articles of agreement, dated the ninth day of April, one thousand eight hundred and fifty, agreed to sell and convey to George M. Crusan, his heirs, or assigns, in consideration of the sum of eight hundred and ten dollars, to be paid by him, a certain tract of land, situated in said township, adjoining lands of Thomas Sharp, Samnel Wiggins, James Robinson and John Smith, containing ninety acres, more or less :

*And whereas,* The said articles of agreement were signed by Robert Oliver, guardian of Eliza Jane Oliver, a minor heir of said deceased, without authority from the orphans' court of said county ; and the full share of the said minor, in the said purchase money, was afterwards paid to said guardian, and by him accounted for in his account, filed in said court ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the aforesaid agreement to sell said tract of land, by the said guardian, be and the same hereby is ratified and confirmed, and that James M. Coleman, the present guardian of the said Eliza Jane Oliver, a minor, be and he hereby is authorized to execute and deliver to the said George M. Crusan a deed in fee simple, for the interest of the said Eliza Jane Oliver, a minor, of, in and to the above described tract of land, being the one undivided fifth part thereof.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-second day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.



No. 940.

*An Act*

To release Laughner Bache, M. M. Converse, Chester Robinson and James Lowrey, sureties of William D. Bailey, Register of Wills, Recorder of Deeds and Clerk of the Orphans' Court of the county of Tioga.

WHEREAS, William D. Bailey was in October, Anno Domini one thousand eight hundred and fifty-four, elected register of wills, recorder of deeds and clerk of the orphans' court of the county of Tioga :

*And whereas*, Laughner Bache and Chester Robinson were his sureties, as required by law, for and during his official term :

*And whereas*, In October, Anno Domini one thousand eight hundred and fifty-seven, he was re-elected to fill the same office, in and for said county, and gave as sureties, for said second term of office, Chester Robinson and James Lowrey :

*And whereas*, The accounts of the said William D. Bailey were annually settled by the auditor general and state treasurer, and he found defaulter for the year Anno Domini one thousand eight hundred and fifty-five, in the sum of three hundred and twenty-three dollars and one cent ; in the year one thousand eight hundred and fifty-six, in the sum of three hundred and forty-two dollars and fifty-nine cents ; in the year one thousand eight hundred and fifty-seven, in the sum of ninety-six dollars and three cents ; in the year one thousand eight hundred and fifty-eight, in the sum of two hundred and ninety-two dollars and seventy-eight cents ; in the year one thousand eight hundred and fifty-nine, in the sum of two hundred and seventy-six dollars and fifty cents ; in the year one thousand eight hundred and sixty, in the sum of two hundred and eighty-eight dollars and fifty cents :

*And whereas*, By the laws of this commonwealth, it was the duty of the auditor general to transmit, to the prothonotary of Tioga county, to be by him entered of record, certified copies of the claim so settled, so that the same might become a lien against the defaulting officer :

*And whereas*, The said auditor general has never transmitted, to the prothonotary, any certified copy of either of the accounts so settled :

*And whereas*, If the said accounts had been transmitted, as required by law, the sureties, aforesaid, could have protected themselves against liability, and the subsequent insolvency of the said Bailey :

*And whereas*, It would be inequitable to collect, from the said sureties, said several sums, and twelve per centum interest on the same ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Laughner Bache, M. M. Converse, Chester Robinson and James Lowrey, be and they are hereby released from all liability, respectively, to the commonwealth, as sureties of William D. Bailey, as register of wills, recorder of deeds and clerk of the orphans' court of Tioga county.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of April, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

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No. 941.

## An Act

To incorporate the Philadelphia Commercial Wharf and Railroad Company.

Preamble.

WHEREAS, There are situated in the First ward, of the city of Philadelphia, on and near the river Delaware, certain tracts of ground, which have great natural advantages for commercial and manufacturing purposes, but which, in their present unimproved condition, yield very little revenue to the owners thereof, and consequently have little assessable value for the payment of taxes for state, county, or city purposes; and it being desirable for the interests of Philadelphia, in all parts, north, south, east and west, that the business men of the city should co-operate with the land owners, in making such improvements, as may best promote and increase the business interests and general prosperity of the said city; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners

That Edward W. Warner, David Jayne, Edmund A. Souder, Samuel T. Bodine, J. Vaughan Merriek and Titus S. Emery, or any three of them, be and they are hereby appointed commissioners, to open books, receive subscriptions and organize

Title.

a company, by the name, style and title of the Philadelphia Commercial Wharf and Railroad Company, with the power to purchase lands, from time to time, at one or more points, at or near the river Delaware, in the First ward of the city of Philadelphia, and to improve the same, by the construction of wharves, docks, warehouses and other buildings thereon, and with the right to construct a railroad, with a single or double track, from such improvements on, or near, the river Delaware,

Powers and  
privileges.

to intersect and connect with any other railroad in the city of Philadelphia, at or south of Washington street, and at some convenient point east of the river Schuylkill, with such branch railroads as may be necessary for the business of the company, or the improvements created, or constructed by them; the routes and grades of said roads being subject to the approval of the board of surveyors of the city of Philadelphia; with the right to sell and convey said lands and improvements, or any parts thereof, in fee simple, or to lease the same, or any portion thereof: *Provided*, That said company be so restricted, in the purchase of lands, that it shall not, at any time, have invested in the purchase of the same, an amount exceeding one-half its capital stock. Limitation.

SECTION 2. That the capital stock of said company shall be two hundred thousand dollars, consisting of four thousand shares, at fifty dollars each; but said company shall have the right to increase their capital stock to any sum, not exceeding twelve hundred thousand dollars, to consist of twenty-four thousand shares, at fifty dollars each, at such time, or times, as may be decided upon, by a vote of a majority of the stockholders present, at a meeting called for that purpose, in such manner as may be prescribed by the by-laws of said company; and the board of directors are hereby authorized to make all such by-laws, as may be necessary, or expedient, to carry into execution the provisions of this act, and to secure, to the said company, the enjoyment of all the rights and privileges conferred by this act. Capital stock.  
  
By-laws.

SECTION 3. That the board of directors of this company shall consist of seven members, any five of whom shall constitute a quorum for the transaction of business; the said board of directors shall have the power, and may pay in the stock of the company, or from any funds, not otherwise appropriated, for all, and any portion, or portions, of any purchases of lands, or for any improvements made thereon, and shall have the power to invest, or otherwise dispose of, any surplus capital, or property, in such manner, as to said board of directors may seem proper and desirable, for the interests of the stockholders, and do all acts needful, or expedient, to execute, carry out and enforce all the powers and privileges conferred, or intended to be conferred, on the said company, by this act. Board of directors.  
  
Their powers.

SECTION 4. That in addition to the powers, privileges and immunities conferred by this act, the said company shall have and enjoy all the rights, privileges, powers and immunities, conferred by the act of assembly, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies," and shall be subject to the provisions, limitations and restrictions of said last mentioned act, except so far as they are changed, or modified, or rendered inapplicable, by the provisions of this act. Additional privileges conferred.  
  
Subject to.

SECTION 5. That said company shall pay into the state treasury the sum of one-half of one per centum, on the capital stock of said company, in four equal, annual, instalments; the first to be paid on the first day of January, Anno Domini one thousand eight hundred and sixty-five, and the remaining in

Bonus to state.

stalments, one each on the first day of January of each and every year, till the whole are paid; and in case of a vote to increase the capital stock, the said company shall pay into the state treasury the sum of one-half of one per centum of such increase, in four annual instalments, in the manner above provided; the first instalment to be paid on the first day of January following such vote of increase: *Provided*, That such portions of the Point House road, between Church street and its southern terminus, as may be occupied by any railroad, for a double track, may be widened to the width of one hundred and twenty feet; and the land damages, for all excess of its present width, shall be assessed and paid, in conformity with this act, by the company occupying the same; and the Commercial Wharf and Railroad Company are hereby authorized to widen, if necessary, and occupy, with a single or double track railroad, any portion of said road: *Provided also*, That said company shall construct no railroad on any street in the city of Philadelphia, running north and south, between Second street on the east, and Twenty-fourth on the west, except to cross said streets on, or south of, Snyder avenue; nor shall said company construct any railroad on any street, running east and west, north of said Snyder avenue: *Provided further*, That nothing in this act shall prohibit said company from running their cars over any freight railroad, constructed by any other railroad company, in the First and Second wards, in the city of Philadelphia.

Certain portions of Point House road may be widened, &c.

Damages.

Prohibition as to the construction of railroad on certain streets.

Proviso.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 942.

## An Act

To incorporate the Petroleum Storage Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Titus S. Emery, Jacob M. Duncan, John S. Twells, Samuel Dutton and J. Q. Seammon, or any three of them, their associates, successors and assigns, and all and every other person, or persons, who shall hereafter become shareholders

Corporators.

<p>in the Petroleum Storage Company of Philadelphia, are hereby created a body corporate and politic, in law and in fact, by the aforesaid name and style of the Petroleum Storage Company of Philadelphia, and by that name shall be, in law, capable of suing and being sued, pleading and being impleaded, in all courts and judicatories whatsoever, and also of contracting and being contracted with, relative to the business and objects of said corporation; and to hold and convey real estate, to hire, rent, construct, or purchase, such grounds, yards, sheds, tanks, vessels, storehouses and wharves, as they may require, for the purposes of their business; and to have and to use a common seal, to alter the same at pleasure, and to make and ordain all such lawful by-laws and regulations, as may be necessary and requisite, to carry out the objects of the said corporation; and the said corporators are, also, hereby empowered to fill up the subscription to the capital stock, and to organize the said company, for the purpose and object of warehousing goods and merchandize, of every kind, sort and description, whether foreign, or otherwise, or whether the same be in custom-house bond, duties paid, or free of duty; and they are hereby empowered to employ competent persons to examine and protect the property in their charge, and, when desired by the owners thereof, to put the same in good order and condition, and to store, or ship, the same: <i>Provided</i>, That said company shall not store petroleum in greater quantities than fifty barrels, in any building two, or more, stories high, within one hundred feet of any dwelling house in Philadelphia: <i>Provided further</i>, That said company shall employ no vessels, except on the Delaware and Schuylkill rivers, and only for the purpose of storage and lighterage, on said rivers: <i>And provided further</i>, That said company shall not store crude petroleum within the improved portion of the city of Philadelphia, east of the river Schuylkill, between the south side of Gunner's run, on the north, and Snyder street, on the south: <i>Provided</i>, That nothing, in this restriction, shall be understood to apply to Windmill island.</p> <p>SECTION 2. That the capital stock, of the said company, shall consist of one hundred thousand dollars, divided into shares of twenty-five dollars each, and the company shall have authority to increase the said capital, to the extent of five hundred thousand dollars, in addition thereto, whensoever so required, by a majority in value of the stockholders.</p> <p>SECTION 3. That the business of the corporation shall be managed and conducted by a board of five directors, any three of whom shall constitute a quorum for business, who shall be elected by ballot, annually, on the first Monday of June, in each year, by the stockholders, at their general meeting, held for that purpose, and of which five days' notice, in at least two daily newspapers, of the city of Philadelphia, shall be given; and at such elections, and in deciding all questions, each share shall entitle the holder to one vote, and any stockholder, not present at such meeting, shall have the right to vote by proxy; and further, that the said directors, at their first meeting, after such election, shall choose one of their number as chairman, or president; but in case it should happen, at any time, that no</p>	<p><b>Name.</b></p> <p><b>Privileges.</b></p> <p><b>Seal.</b></p> <p><b>By-laws.</b></p> <p><b>Purposes.</b></p> <p><b>Limitation.</b></p> <p><b>Prohibition.</b></p> <p><b>Proviso.</b></p> <p><b>Capital stock.</b></p> <p><b>Election of directors.</b></p> <p><b>Notice.</b></p> <p><b>Votes.</b></p>
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Failure to hold election, relative to. election of directors should be made, upon the day herein appointed for that purpose, it shall be lawful to hold and make an election of directors, in such manner as shall be regulated by the by-laws of said corporation; and in case of the death, incapacity, or resignation, of any director, his place may be filled up for the remainder of the year, in such manner as the aforesaid by-laws, for that purpose, shall direct: *Provided*, That the first election for directors shall be made at a time and place, to be appointed by the corporators, above mentioned, and that the directors, then chosen, shall hold their office for twelve months thereafter, or further, until the first Monday in June, occurring after the expiration of that period, and until new directors shall be elected.

Vacancies. First election. Assessments on stock subscribed, when and how to be paid. SECTION 4. That the capital stock of said company shall be called in and paid for, at such time and times, and in such proportion, or proportions, as the president and directors shall declare and require, upon thirty days' previous notice, thereof, being given; and any subscriber, stockholder, or stockholders, his, her, or their, executors, assigns, or representatives, neglecting, failing, or refusing, to pay any instalment, or assessment, so made and declared, upon shares subscribed for by him, her, or them, at the time and times at which the same are made payable, as aforesaid, shall forfeit, to the use of the company, all shares of stock upon which assessments are remaining unpaid, together with whatever money, for calls, may have been previously paid thereon.

Bonus. SECTION 5. The said company shall pay, into the state treasury, the sum of one-half of one per centum, on the capital stock, in four equal, annual, instalments, the first to be paid on the first day of January, Anno Domini one thousand eight hundred and sixty-five, and annually, thereafter, until the whole are paid; and, in case of a vote to increase the capital stock, said company shall pay, into the state treasury, one-half of one per centum on such increase, in four equal, annual, instalments, the first to be paid on the first day of January, following such increase of capital stock.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 943.

## An Act

To incorporate the Mahoning and French Creek Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Samuel M. Kier, Allegheny county, James S. Myers, Venango county, Thomas M'Cullough, Clarion county, H. A. S. D. Dudley, Armstrong county, J. Patton Lyon, Clarion county, James Parke, Junior, Allegheny city, Gen. Robert Orr, Armstrong county, William K. Nimick, B. F. Jones, Pittsburg, Richard Irwin, Venango county, Robert Lamberton, Venango county, James Blakely, Venango county, William A. Shreve, Crawford county, William M. Lyon, Pittsburg, Thomas Bakewell, Pittsburg, George Black, Pittsburg, William T. Alexander, David Lawson, G. W. Arnold, James Campbell, Armstrong county, Philip Templeton, of Clarion county, William W. Dick and Samuel A. Torbett, of Mercer county, Thomas A. M'Farland and William Davis, Jr., of Crawford county, William R. Brown, of Pittsburg, and all such persons, parties, companies, or corporations, except municipal corporations, as shall become stockholders in the company, hereby incorporated, whether citizens, or residents, of the United States, or elsewhere, shall be and are hereby appointed a body corporate, by the name and style of the Mahoning and French Creek Railroad Company, with all the powers, and subject to the provisions of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, so far as the same is not inconsistent with this act: *Provided*, That the time for completing the said railroad shall be extended to ten years, and that a president, and six persons, stockholders, shall constitute the board of managers for said company.

Corporators.

Name.  
Subject to.

Time of completing road.  
Managers.

SECTION 2. That the above named corporators, or a majority of them, may proceed to open books, at such time and place as they may designate, for subscription to the stock of said company; and shall fix the time for holding the first annual election, for seven managers of said company, by parties previously subscribing to the stock thereof; the managers, annually elected, shall, by ballot, appoint one of their number to be a president of the company, and may elect a vice president, and shall fill all vacancies, occurring in their own body, until the next succeeding election, by stockholders; and a majority of the board shall form a quorum for business.

Subscriptions to stock.

Election of managers.

Vacancies.  
Quorum.

SECTION 3. That the capital stock of said company shall be five hundred thousand dollars, and shall be divided into shares of one hundred dollars each, with the right and privilege of increasing the same, from time to time, to an amount sufficient to complete the road of said company, and provide the

Capital stock.

Authorized to borrow money and issue bonds therefor.	same with locomotives, cars, machinery, depots, water stations, and all other things necessary to equip and put the said road in working order; and the said company is hereby authorized to borrow any sum of money, not exceeding eighteen thousand dollars per mile of said road, and to issue bonds therefor, with, or without, coupons attached, and the said company shall have power to give such bonds such preference, or security, by mortgage, or otherwise, upon the road bed, real and personal estate, and the franchises of said company, or any part or portion, thereof, as they may deem advantageous. <i>Provided</i> , That no bond shall be for a less sum than one hundred dollars, and that such rate of interest, not exceeding seven per cent. per annum, as may be agreed upon, shall be lawful: <i>And provided further</i> , That the company, hereby chartered, may, at its option, permit the bondholders to vote in all meetings, or elections, one vote for each one hundred dollars of bonds held by them: <i>And provided further</i> , That in lieu of any portion of the mortgage bonds proposed to be issued, the company may, at its option, create and issue a preferred stock, the dividend on which shall not exceed ten per cent. per annum, which dividend shall be paid before any dividend is made on the common stock, and they may appropriate the receipts of any part of their road, or business, to the payment of the dividend on said preferred stock.
Proviso.	
Bondholders may be permitted to vote.	
Preferred stock may be issued.	
Dividend thereon, relative to.	
Construction of railroad authorized.	SECTION 4. That the said company shall have the right to build, construct and equip, a single, or double, track railroad, from, or near, the town of Kittanning, in the county of Armstrong, along, or near, the Allegheny river, to the borough of Franklin, in the county of Venango, with the right to connect, or intersect, with any railroad, now, or hereafter to be, built, at either end, or at any intermediate point, with the same right of connection with other railroads, as enjoyed by the main road: <i>Provided</i> , That said grant shall not, in any manner, interfere with the surveys, or rights and privileges, heretofore granted to the Allegheny Valley Railroad Company: <i>And provided</i> , That proceedings to recover damages for any land, or materials, authorized to be taken and used in the laying out and construction of said railroad, authorized by this act, shall be commenced and proceeded in, to a final judgment, according to section fourth of the act of twenty-seventh day of March, Anno Domini one thousand eight hundred and forty-eight, relating to the Pennsylvania Railroad Company.
Route.	
May connect with other roads.	
Proviso.	
Damages, how to be recovered.	
Construction of road along and over rivers, highways, &c., relative to.	SECTION 5. That the said railroad company shall be and are hereby empowered, in as full and perfect a manner as is possessed by this commonwealth, to construct their road along and over any navigable river, water course, or highway, and, in the construction of said road, to use so much of the channel of said river, water course, or highway, or to change the same, as may be necessary for said purpose: <i>Provided</i> , That no interruption shall be caused to the ascending navigation of said river, or water course, and that the said piers shall not be erected in the rafting, or low water channel of any stream used for descending navigation.
Proviso.	
	SECTION 6. That it shall be lawful for any other chartered company, or companies corporate, to subscribe to the capital



stock of the said Mahoning and French Creek Railroad Company, either by cash subscription, or by subscription payable in bond, or to loan said company money, or to endorse the bonds provided for in the third section of this act, or to purchase the road of this company, for the purpose of completing the same, with its franchises and privileges: *Provided*, The incorporated company, so subscribing, or purchasing, may secure the payment of its bonds, issued therefor, by a mortgage on its property and franchises. Other companies may subscribe to stock. Proviso.

SECTION 7. That the company, hereby created, shall have the right to purchase and hold any unfinished railroad and its franchises, located within the counties named in this act, or the counties of Armstrong and Allegheny, and to finish, complete, equip and use, the same, under the provisions of this act. Authorized to purchase unfinished railroads, &c.

JOHN C. SSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 944.

## A Further Supplement

To the act to incorporate the Oil Creek Transportation Company, approved twenty-sixth day of February, one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said company shall have the right to lay pipes, or tubes, with branches, for the purposes contemplated in the original act, from any point on the Oil creek, to any point, or points, in the counties of Crawford, Venango and Warren. Authorized to lay pipes, with branches, from any point on Oil creek, &c.

SECTION 2 That in all cases where said company, and the owner, or owners of land, cannot agree upon the amount of damages for right of way, and other necessary easements, the said company may tender bond, with sufficient security, to the party, who is, or may be, entitled to such damage, the condition of which shall be, that said company will pay, or cause to be paid, such damage as the party shall be entitled to receive, after the same have been agreed upon by the parties, or assessed according to law; and that in case the party, or parties, who are, or may become entitled to such damage, refuse to accept said bond, or bonds, tendered by said company, Damages, settlement of.

the said company may cause the same to be presented to the court of common pleas of the county wherein such land is situate, or to any judge thereof, in vacation; and the said court, or judge, if the amount and security be deemed sufficient, shall endorse thereon "approved," and order the same to be filed; and thereupon, the said company shall have the like rights and privileges, as they would have by this section, if such bond, or bonds, had been accepted by the owner of said land.

JOHN CESSNA,  
Speaker of the House of Representatives.  
GEORGE V. LAWRENCE,  
Speaker of the Senate.

APPROVED—The thirteenth day of June, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 945.

## A further Supplement

To an act to enable joint tenants, and tenants in common, and adjoining owners of mineral lands in this commonwealth, to manage and develop the same.

Number and value of shares into which land, held by certain corporations, may be divided.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any company, which may hereafter be incorporated under the provisions of the act, to which this is a supplement, for the purpose of mining, or improving mineral lands, in this commonwealth, may divide the land, authorized to be held by them, into such number of shares, not exceeding two hundred thousand, and of such value, not less than five dollars per share, as shall in each particular be designated, in the certificate in writing, required to be signed and acknowledged by the provisions of the act, to which this is a supplement.

Foreign corporations may hold three hundred acres of land in this state.

SECTION 2. That any corporation, association, or company, not incorporated under the laws of this state, may acquire, hold and convey, not exceeding three hundred acres of land in this commonwealth, for mining purposes.

JOHN CESSNA,  
Speaker of the House of Representatives.  
GEORGE V. LAWRENCE,  
Speaker of the Senate.

APPROVED—The twenty-second day of July, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 946.

**An Act**

To incorporate the Oil Creek and Ridgway Railroad Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*  
 That James S. Myers, W. W. Barr, David Lawson, Albert Willis, George Dickinson, Richard Irwin, Joseph Veazie, Jr., James H. Mayo, William G. Moorhead, John S. Brown and Robert Faires, or any five of them, their associates and assigns, be and they are hereby incorporated and constituted a body politic and corporate, under the name, style and title of the Oil Creek and Ridgway Railroad Company, with all the rights and privileges, and subject to all the conditions and restrictions, conferred, or imposed, by an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto.

Corporators.

Title.

Privileges.

Subject to.

**SECTION 2.** That the said railroad company is hereby authorized to construct a railroad from the Philadelphia and Erie railroad, at, or near, Ridgway, in the county of Elk, to the mouth of Oil creek, in Venango county, by the best and most practicable route.

Construction of  
road authorized

**SECTION 3.** That the capital stock of said company shall consist of six thousand shares, of fifty dollars each; and it shall be lawful for said company to issue bonds, not exceeding thirty thousand dollars per mile, for each mile of said road, bearing interest, not exceeding seven per centum per annum, and secure the payment of the same by mortgage upon said railroad; but no bond shall be issued for a less sum than one hundred dollars.

Capital stock.

May issue  
bonds.**JOHN CESSNA,**

Speaker of the House of Representatives.

**GEORGE V. LAWRENCE,**

Speaker of the Senate.

**APPROVED—**The twenty-fourth day of July, Anno Domini one thousand eight hundred and sixty-three.

**A. G. CURTIN.**

No. 947.

*An Act*

To suspend, in the counties of Tioga, Potter, Lycoming, McKean, Bedford and Warren, the penalties imposed by the second section of the act of the twenty-second March, Anno Domini one thousand eight hundred and seventeen, and the first and second sections of the act of the twelfth of April, Anno Domini one thousand eight hundred and twenty-eight.

WHEREAS, The ordinary transaction of business became difficult, on account of the scarcity of small change, in the counties of Tioga, Potter, McKean, Lycoming, Bedford and Warren, caused by the financial troubles in the country, following the existing rebellion :

*And whereas*, Certain individuals, in the counties aforesaid, have, from time to time, issued notes, bills, checks, drafts, orders, tickets, or papers, intending the same to be used as a circulating medium, with the honest intention of facilitating business ; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fines and penalties, imposed by the second section of the act of twenty-second March, Anno Domini one thousand eight hundred and seventeen, the first and second sections of the act of twelfth April, Anno Domini one thousand eight hundred and twenty-eight, and all other laws of the commonwealth, imposing, or inflicting, fines and penalties, for issuing, or circulating, or causing to be issued, or circulated, any note, bill, check, draft, order, ticket, or paper, intending the same to be used as a circulating medium, be and the same are hereby suspended, in said counties of Tioga, Potter, McKean, Lycoming, Bedford and Warren, for all violations of said laws, prior to the passage of this act, and that no fines, or penalties, shall be inflicted, or imposed, upon any corporation, person, or persons, within said counties, for the aforesaid violations of the law : *Provided however*, That if any person, or persons, having issued any such note, bill, check, draft, order, ticket, or paper, shall neglect, or refuse, to pay the same, when presented in the manner stipulated in said note, check, bill, draft, order, ticket, or paper, said person, or persons, shall not be entitled to claim the benefit of this act, but shall remain liable to all the penalties imposed by existing laws.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The thirty-first day of July, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 948.

**An Act**

To incorporate the Bridesburg Manufacturing Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.*

That Richard Garsed, Barton H. Jenks, Joseph G. Mitchell, Owen Haines, Robert Shouse, William Dobson, John Still, Andrew M'Millin, John H. Smith, Isaac Sutvin, Samuel O. Shouse, and such other persons as shall be associated with them, and their successors, be and the same are hereby enacted into a body corporate and politic, by the name, style and title of the Bridesburg Manufacturing Company, with a capital stock of five hundred thousand dollars, with power to increase the same to one million of dollars, to be divided into shares of one hundred dollars each, for the purpose of manufacturing arms, rifles, muskets, pistols, and other weapons, and the tools and machinery necessary for the manufacture of such arms and textile machinery generally.

SECTION 2. That the affairs of said company shall be managed by a board of five directors, one of whom shall be president, who shall be chosen by the stockholders; the first election shall be held within six months after this act shall take effect, of which election public notice shall be given, at least four weeks, in one newspaper, published in the county of Philadelphia, and subsequent elections shall be held at such time and place, annually, as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every share of stock subscribed, and paid in, shall entitle the holder to one vote in person, or by proxy: *Provided*, That in case of failure to hold an election, under this act, the former directors shall continue in office until their successors be duly elected, and in case of the death, or resignation, of any director, the remaining directors may elect a person to serve until the next annual election.

SECTION 3. That this corporation shall have authority to have and hold a common seal, and the same to change, alter, or annul, at pleasure, and, by the style and title aforesaid, shall be capable, in law, to sue and be sued, before any court of this commonwealth; and may do and make all needful rules and regulations, and by-laws, for the well ordering of the business affairs of the corporation, so that the same shall in no wise conflict with, or be contrary to, the laws of this commonwealth, or of the United States.

SECTION 4. That the said corporation, by the name aforesaid, may hold, in the county of Philadelphia, such necessary lands and buildings as they may require, to carry on the business hereinbefore mentioned, with power to mortgage, sell, lease, or otherwise dispose of, the same, or any part thereof.

Corporators.

Title.

Capital stock.

Purposes.

Management.

Election of directors.

Notice.

Votes.

Failure to hold election, relative to.

Vacancies.

Seal.

By-laws.

Privileges.

When act to  
take effect.

Letters patent.  
Stock transferable.

Dividends.

Subscriptions,  
how to be paid.

SECTION 5 This act shall not take effect until five thousand shares shall be subscribed and paid in, of which a statement, containing the names of the subscribers, and the amount subscribed by each, shall be given to the governor, to be filed in the office of the secretary of the commonwealth, whereupon, the governor shall issue letters patent to the corporators; the stock may be transferred agreeably to the by-laws, which may be adopted by the corporation; the dividends may be declared and paid, whenever the directors deem it advisable; but said dividends shall, in no case, exceed the amount of actual profits acquired by the corporation; and if the directors shall make a dividend of more than the actual net profits, the directors, consenting thereto, shall severally be liable to the corporation in their individual capacity, for the excess so divided and paid; the said stockholders shall be liable, in their individual capacity, for all wages unpaid, not exceeding ninety days arrears thereof, however.

SECTION 6. That subscriptions of stock may be paid, in real and personal estates, appropriate to the business contemplated by this act, at a *bona fide* valuation, to be agreed upon by a majority, in interest, of the subscribers and stockholders.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of July, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

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No. 949.

## An Act

Relating to corporations for Mechanical, Manufacturing, Mining and Quarrying purposes.

Three or more  
persons, asso-  
ciating them-  
selves together  
for certain pur-  
poses, may form  
companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That three or more persons who shall have associated themselves together, by articles of agreement in writing, for the purpose of carrying on any mechanical, mining, quarrying or manufacturing business in this Commonwealth, except that of distilling, or manufacturing intoxicating liquors, and shall have complied with the provisions of this act, shall be and remain a corporation, under any name indicating their corporate

character, assumed in their articles of association, and which is not previously in use by any other corporation or company.

SECTION 2. That the purposes for, and the place within, which such corporation is established, shall be distinctly and definitely specified in the articles of association, and such corporations shall not direct its operations or appropriate its funds to any other purpose.

Purposes and place of business to be specified in articles of association.

SECTION 3. That the first meeting of such corporations shall be called by a notice, signed by one or more of the parties to such an agreement, stating the time, place and purposes of the meeting, a copy of which shall, three weeks at least before the meeting, be given to each member, or published in some newspaper printed in the county in which said corporation proposes to conduct its business.

First meeting of corporation, how to be called

SECTION 4. That if doubts arise whether any such corporation is legally organized, the stockholders, at a meeting specially called for the purpose, under their by-laws, or by notice, as required by the preceding section, may, by vote, confirm such organization, and all proceedings under it, and by so doing, and depositing one copy of such vote with the recorder of deeds of said county, and one with the Secretary of the Commonwealth, such corporation, and the acts of the company, shall be held legal and valid as if the original organization had been legal.

Organization may be confirmed by vote of stockholders and a copy thereof deposited with the secretary of the commonwealth and recorder.

SECTION 5. That said corporations may make by-laws, not repugnant to the laws of the Commonwealth, for the regulation of their business, with penalties for the breach thereof, not exceeding twenty dollars for each offence.

By-laws.

SECTION 6. That the business of the company shall be managed and conducted by a president, board of directors, a clerk, treasurer, and such other officers, agents, and factors, as the company authorizes for that purpose.

Management.

SECTION 7. That the directors, clerk, and treasurer, shall be chosen, annually, by the stockholders, and shall hold their offices until others are chosen, and qualified, in their stead; the manner of such choice, and of choice, or appointment, of all other agents, factors, and officers, of the company, shall be prescribed by the by-laws

Officers, agents, &c., how to be chosen.

SECTION 8. That the number of directors shall not be less than three; one of them shall be chosen president by the directors, or by the company, as the by-laws shall direct.

Number of directors.

SECTION 9. That the clerk shall be sworn, and shall record all the votes of the company in a book to be kept for that purpose, and perform such other duties as shall be assigned to him; the treasurer shall give bond in such sum, and with such sureties, as shall be required by the by-laws, for the faithful discharge of his duties.

Clerk to be sworn.  
Treasurer to give bond.

SECTION 10. That at all meetings of the company, absent stockholders may vote by proxy, authorized in writing; but no proxy shall be valid, unless executed and dated, within six months previous to the meeting at which it is used, if the maker thereof resides in the United States; and no person shall, as proxy, or attorney, cast more than fifty votes, unless all the shares, so represented by him, belong to one person; and no officer of the corporation, as proxy, or attorney, shall

Votes by proxies, or attorneys, relative to.

- cast more than twenty votes; every company may determine, by its by-laws, what number of stockholders shall attend, either in person, or by proxy, or what number of shares, or amount of interest, shall be represented at any meeting, to constitute a quorum; if the quorum is not so determined, a majority, in interest, of the stockholders, shall constitute a quorum.
- Quorum of stockholders.** SECTION 11. That the capital stock of every company, the amount whereof has been fixed and limited by such company according to law, shall remain so fixed, subject to be increased, or reduced, pursuant to the provisions of this act.
- Capital stock.** SECTION 12. That the amount of the capital stock of every company, not organized, shall be fixed and limited by the company, and shall, at its first meeting, be divided into shares, of which a record shall be made by the clerk.
- Amount of capital to be fixed by companies and divided into shares.** SECTION 13. That every company may, at any meeting called for the purpose, increase its capital stock, and the number of shares therein, but the stock shall not, in any case, exceed the amount authorized by this act.
- Increase thereof authorized.** SECTION 14. That every company may, by a vote of three-fourths of the general stockholders, at a meeting duly called for the purpose, issue two kinds of stock, namely, general stock, and special stock; the special stock shall at no time exceed two-fifths of the actual capital of the corporation, and shall be subject to redemption, at par, after a fixed time, to be stated in the certificates; holders of such special stock shall be entitled to receive, and the corporation shall be bound to pay thereon, a fixed, or half yearly, sum or dividend, to be expressed in the certificates, not exceeding four per centum, and they shall, in no event, be liable for the debts of the corporation beyond their stock.
- General and special stock may be issued.** SECTION 15. That shares of the capital stock may be transferred by the proprietor, by an instrument, in writing, under his hand, and recorded by the clerk of the corporation, in a book to be kept for that purpose; the purchaser, named in such instrument, so recorded, shall, on producing the same to the treasurer, and delivering to him the former certificate, be entitled to a new certificate.
- Transfers of capital stock, how to be made.** SECTION 16. That every company may, from time to time, at a legal meeting called for the purpose, assess upon each share of stock such sums of money as the company may think proper, not exceeding, in the whole, the amount at which each share was originally limited; and such sums assessed shall be paid to the treasurer, at such times, and in such instalments, as the company directs; no note, or obligation, given by a stockholder, whether secured by pledge, or otherwise, shall be considered as payment of any part of the capital stock.
- Assessments, payment of.** SECTION 17. That if the proprietor of any share neglect to pay a sum duly assessed thereon, for the space of thirty days after the time appointed for payment, the treasurer of the company may sell, by public auction, a sufficient number of the shares to pay all assessments then due, with necessary and incidental charges thereon.
- Treasurer may sell shares for non-payment of assessments thereon.** SECTION 18. That the treasurer shall give notice of the time and place appointed for such sale, and of the sum on each share, by advertising the same three weeks, successively, be-
- Notice of time and place of sale to be given.**



fore the sale, in some newspaper published in said county ; and a deed of the shares so sold, made by the treasurer, and acknowledged before a justice of the peace, and recorded by the clerk, as directed in section number sixteen, shall transfer said shares to the purchaser, who shall be entitled to a certificate therefor.

Deeds therefor to be made by treasurer.

SECTION 19. That the president and directors, with the treasurer and clerk, of such companies, shall, after the payment of the last instalment of the capital stock, make a certificate, stating the amount of the capital so fixed and paid in; which certificate shall be signed, and sworn to, by the president, treasurer, clerk, and a majority of the directors, and they shall cause the same to be recorded in the office of the recorder of deeds for said county.

Officers to make a certificate, stating the amount of capital fixed and paid in.

To be recorded.

SECTION 20. That if a company increases its capital stock, the officers named in the last preceding section, after payment of the last instalment of such additional stock, shall make a certificate of the amount so added and paid in, and sign and swear to the same, and cause it to be recorded in the manner herein provided.

Increase of capital to be certified and recorded.

SECTION 21. That if any of said officers neglect or refuse to perform the duties required of them in the two last preceding sections, they shall be jointly and severally liable for all the debts of the company, contracted after the expiration of thirty days from the payment of the last instalment, and before such certificate is so recorded.

Officers neglecting duties, as above required, liable for debts of company, &c.

SECTION 22. That every company may, by a vote, at any meeting called for the purpose, reduce its capital stock, in which case, a certified copy of the vote shall be recorded in the office of the recorder of deeds of said county, and in default thereof, the directors of the company shall be jointly and severally liable for all the debts of the company, contracted after thirty days from said reduction, and before the recording of such copy.

Capital stock may be reduced.

Copy of vote to be recorded.

SECTION 23. That if any part of the capital stock of a company is withdrawn, and refunded to the stockholders, before the payment of all the debts of the company, contracted previously to the recording of a copy of the vote for that purpose, in the office of the recorder of deeds, as prescribed in the preceding section, all the stockholders of the company shall be jointly and severally liable for the payment of such debts.

If any part of capital stock is withdrawn and refunded, before payment of debts, &c., stockholders to be jointly and severally liable.

SECTION 24. If the directors of any company declare any dividend when the company is insolvent, or the payment of which would render it insolvent, they shall be jointly, and severally, liable for all the debts of the company then existing, and for all thereafter contracted, so long as they respectively continue in office: *Provided*, That the amount for which they shall be liable shall not exceed the amount of such dividend; and if any of the directors are absent at the time of making the dividend, or object thereto at said time, and file their objections, in writing, with the clerk of the company, they shall be exempted from such liability.

Dividends, relative to.

Proviso.

- Loans to stockholders prohibited.** SECTION 25. No loan of money shall be made by such company to any stockholder therein, and if any such loan is made to a stockholder, the officers who make it, or assent thereto, shall be jointly, and severally, liable to the extent of such loan and interest, for all the debts of the company contracted before the re-payment of the sum so loaned.
- Limitation as to amount of debts.** SECTION 26. That the whole amount of the debts which any such company, at any time, owes, shall not exceed the amount of its capital stock actually paid in; and in case of any excess, the directors, under whose administration it occurs, shall be jointly, and severally, liable to the extent of such excess, for all the debts of the company then existing, and for all that are contracted, so long as they respectively continue in office, and until the debts are reduced to the amount of the capital stock: *Provided*, That any of the directors who are absent at the time of contracting any debts, contrary to the foregoing provisions, or who object thereto, may exempt themselves from liability by forthwith giving notice of the facts to the stockholders, at a meeting which they may call for that purpose.
- Liability of directors.**
- Proviso.**
- Officers liable for making false certificates, statements, &c.** SECTION 27. If any certificate made, or any statement or notice given, by the officers of a company under the provisions of this act, is false in any material representation, all the officers who signed the same, knowing it to be false, shall be jointly, and severally, liable for all the debts of the company contracted while they were officers or stockholders thereof.
- Officers, or stockholders, paying debts of company, may recover.** SECTION 28. Any officer or stockholder of a company who voluntarily, or by compulsion, pays a debt of the company for which he is made liable by this act, may recover the amount, so paid, in an action, against the company for money paid for its use; in which action the property of the company, only, shall be liable to be taken, and not the property of any stockholder.
- Amount of capital to be fixed in articles of association.** SECTION 29. The amount of capital stock of such corporation shall be fixed and limited in its articles of association; the corporation may increase, or diminish, its amount, and the number of shares, at any meeting of the stockholders specially called for the purpose; but the capital shall never be less than five thousand dollars, nor more than five hundred thousand dollars, and no share shall be issued for less than its par value.
- Limitation.**
- Real and personal estate that may be held.** SECTION 30. Such corporation may, in its corporate name, take, hold, and convey, such real and personal estate as is necessary for the purpose of its organization; may carry on its business, or so much thereof as is convenient, beyond the limits of the Commonwealth, and may there hold any real or personal estate necessary for conducting the same.
- Certificate to be deposited with the auditor general.** SECTION 31. Before such corporation commences business, the president, treasurer, and a majority of the directors, shall sign, swear to, and deposit with the Auditor General of the Commonwealth, a certificate, setting forth the corporate name, and purposes of the association, the amount of the capital stock, the amount already paid in, and the par value of the

shares in the corporation, and shall file a copy thereof with the recorder of deeds in said county, to be by him recorded in a book kept for the purpose, within thirty days after the payment of any instalment called for by the directors; a certificate thereof shall be, in like manner, signed, sworn to, deposited, filed, and recorded.

Copy thereof to be filed with recorder of deeds, &c.

SECTION 32. When the capital stock, and shares of any such corporation, are increased, or reduced, under the provisions of this act, a certificate thereof shall be made, signed, sworn to, deposited and executed, in manner aforesaid.

Certificate of increase, or reduction, of capital.

SECTION 33. Every such corporation shall, annually, in September, make, and the president, treasurer, and a majority of the directors, shall sign, swear to, and deposit with the recorder of deeds for said county, a certificate, stating the amount of capital stock paid in, the names, and number of shares held by each stockholder, the amount invested in real estate, and in personal estate, the amount of property owned, and debts due to the corporation, on the first day of August next preceding the date of such certificates, and the amount, as nearly as can be ascertained, of existing demands against the corporation at the date of the certificate.

Annual statement to be deposited with recorder.

SECTION 34. If the officers of any such corporation violate the provisions of section two, or neglect, or refuse, to perform the duties required in sections thirty-two, thirty-three, and thirty-four, they shall be jointly, and severally, liable for all debts of the corporation contracted during the continuance of such violation, refusal, or neglect.

Penalty for violation of certain provisions, or neglect of certain duties, by officers.

SECTION 35. When the officers of such corporation have failed to perform the duties prescribed in this act, as to making certificates, the certificates therein mentioned may be made, and filed at any time after such failure; and such officers shall not be personally liable for debts of the corporation, contracted after the requisitions of this act have been complied with.

Failure to make and file certificates, relative to.

SECTION 36. Process shall be served upon such corporations, in the same manner as is now directed by law with regard to other corporations.

Mode of serving process.

SECTION 37. The court of common pleas of the proper county shall have the same power to dissolve such corporation, upon petitions filed under the corporate seal, which it now has with regard to other corporations.

Court of common pleas may dissolve corporations.

SECTION 38. When special stock is created by any corporation, under this act, the general stockholders shall be liable for all debts and contracts, until the special stock is fully redeemed.

Special stock.

SECTION 39. The stockholders of any and all corporations, under this act, shall be personally liable for all sums of money due to laborers, and operatives, for services rendered within six months before demand made upon the corporation, and its neglect or refusal to make payment.

Stockholders personally liable for debts due laborers, &c.

SECTION 40. Any member, or stockholder, who pays, on a judgment or otherwise, more than his proportional share of any debt against the company, shall have a claim for contribution against the other members or stockholders.

Payments on judgments, relative to.

Liability of stockholders and officers, for debts or contracts.

SECTION 41. No stockholder, or officer, in such corporation, shall be held liable for its debts, or contracts, unless a judgment is recovered against it, and the corporation shall neglect, for the space of thirty days after demand made, on execution, to pay the amount due, with the officer's fees, or exhibit to him real or personal estate of the corporation, subject to be taken on execution, sufficient to satisfy the same, and the execution shall be returned unsatisfied.

Mode of recovery by creditors.

SECTION 42. After the execution shall be so returned, the judgment creditor, or any other creditor, may file a bill in equity, in behalf of himself, and all other creditors of the corporation, against it, and all persons who were stockholders therein at the time of the commencement of the suit in which such judgment was recovered, or against all the officers liable for its debts and contracts, for the recovery of the sums due from said corporation, to himself and such other creditors, for which the stockholders or officers may be personally liable, by reason of any act or omission, on its part, or that of its officers, as stated in preceding sections of this act, setting forth the judgment and proceedings thereon, and the grounds upon which it is expected to charge the officers, or stockholders, personally.

Sums decreed to be paid to be assessed upon stockholders proportionately.

SECTION 43. That such sums as may be decreed to be paid by the stockholders in such suit, in equity, shall be assessed upon them in proportion to the amounts of stock by them respectively held at the time when the suit, in which said judgment was recovered, was begun; but no stockholder shall be liable to pay a larger sum than the amount of stock held by him at that time at its par value.

Estates and funds in hands of executors, &c.

SECTION 44. That the estates and funds in the hands of executors, administrators, guardians, or trustees, shall not be liable to greater extent than the testator, intestate, ward, or person interested in the trust fund, would have been, if living, and competent to act, and hold the stock in his own name.

Suit not to abate by reason of the death of any of the defendants.

SECTION 45. That if, during the pendency of any suit in equity, as herein provided, one of the defendants shall de cease, the suit shall not abate thereby, and his estate, in the hands of his executor or administrator, shall be liable to the same extent as he would be, if living; such executor, or administrator, may voluntarily appear, and become a party to such suit, or may be summoned by plaintiff.

After suit in equity is commenced, plaintiff may not dismiss the same.

SECTION 46. That after a suit in equity, to enforce the liability of stockholders or officers, shall have been commenced, it shall not be competent for the plaintiff to dismiss the same, without order of court, and such notice to other creditors as the court may deem reasonable under the circumstances.

Individual liability.

SECTION 47. That the officers and stockholders of corporations, organized under this act, shall not be individually liable for the debts of said corporation, otherwise than in this act provided.

Act may be amended or repealed.

SECTION 48. That the provisions of this act may be amended, or repealed, at the pleasure of the Legislature.

Not to apply to certain counties.

SECTION 49. That the provisions of this act shall not apply to the counties of Northumberland, Montgomery, Bucks, Luzerne, Columbia, Montour, Sullivan, Wyoming, Lehigh, Car-

Don, Armstrong, Schuylkill, Northampton, Westmoreland, Berks, Adams and York.

JOHN CESSNA,

Speaker of the House of Representatives.

GEO. V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of July, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 950.

## An Act

To incorporate the Keystone Gold and Silver Mining Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That Benjamin Haywood, Thomas A. Scott, F. W. Hughes, E. M. Clymer, A. B. Cochran, Loomis G. Marshall, E. Metzger, A. Cochran and their associates, be and they are hereby created a body politic, by the name, style and title of the Keystone Gold and Silver Mining Company, and by such name and title shall be capable of suing and being sued, impleading and being impleaded, and of granting and receiving, in its corporate name, property, real and personal and mixed, and of holding and improving lands in Colorado territory, and to obtain therefrom any and all minerals and other valuable substances, whether by working, or mining, leasing, or disposing of privileges to work, or mine such land, or any part thereof, and to erect houses and such other buildings and works, as may properly appertain to said business; and to use, let, lease, or work the same, and to dispose of the products of all such lands, mines and works, as they may deem proper.

Corporators.

Title.

Privileges.

SECTION 2. That the said company shall have power to make by-laws as they may deem proper, to enable them to carry out the objects of the corporation, and the same to alter, amend, add to, or repeal, at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of the United States and of this commonwealth, or the provisions of this act; and to adopt a common seal, and the same to alter at pleasure, and to issue certificates of stock, representing the value of their property, in such form, and subject to such regulations, as they may, from time to time, by their by-laws, prescribe, and to regulate and prescribe in what manner and form their contracts and obligations shall be executed.

By-laws.

Proviso.

Seal.

Certificates of stock.

**Election of directors.** SECTION 3. That the corporators, named in this act, shall elect persons to serve as directors, a majority of whom shall constitute a quorum for the transaction of business, and shall hold their offices until their successors shall have been elected in accordance with the by-laws.

**Offices.** SECTION 4. That it shall be lawful for said company to establish the necessary offices for the business of the company, wherever their business is located, and to have their principal office in the United States, in such place as they may deem expedient; at which place, it shall be lawful to hold all meetings for the transaction of the business of the company

**Limitation.** SECTION 5. That the provisions of this act shall continue in force for twenty years, and no longer.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of July, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

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No. 951.

## An Act

To incorporate the Mercer Iron and Coal Company.

**Corporators.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George Palmer, A. Stone, Junior, William Gibson, S. A. Potter, T. Fulton, William Stuart, H. W. Brown, John M. Adams, R. K. Brown, David Dick and Thomas A. M'Farland, their associates and successors, be and they are hereby created a body politic and corporate, by the name and style of the Mercer Iron and Coal Company, by which name said corporation and their successors shall have perpetual succession, and enjoy all the privileges and franchises incident to a corporation, and be capable, in law, of purchasing, receiving, holding and conveying, such real and personal property as may be deemed for the best interest of the company or corporation.

**Capital stock.** SECTION 2. That the capital stock of said company shall be four hundred thousand dollars, divided into shares of one hundred dollars each, with the privilege to increase the same, from time to time, to an amount not exceeding ten thousand shares; said increase, and all transfers of a stock, to be made at such

**Transfers.**

times, and in such manner, as the by-laws of said company may prescribe.

SECTION 3. That the subscriptions, to the capital stock of said company, may be paid in real, or personal, estate, appropriated to the business contemplated by this act, at a valuation to be agreed upon by a majority, in interest, of the stockholders, for which, certificates of stock shall be issued, to be assignable and transferable on the books of the company; and the said corporation may issue interest bearing bonds, with, or without, coupons attached, secured by mortgage, or otherwise, on a part, or the whole, of their real estate, or effects, as may be agreed upon by a majority of the stockholders, at a meeting called for that purpose; that they may sell the said bonds at their market value, notwithstanding it may be less than par; but no bond shall be issued for a less amount than one hundred dollars.

*Subscriptions, how to be paid.*  
*Certificates.*  
*May issue bonds secured by mortgage.*

SECTION 4. That the said corporation shall be able and capable, in law, to take, receive and hold, in fee simple, or for less estates, or lease lands and mineral rights, with the appurtenances, not exceeding five thousand acres, in the counties of Mercer and Venango, with power to mortgage, sell, lease, or otherwise dispose of, the same, or any part thereof; and the said company shall have the right to prove and open mines, to mine and prepare for market coal, iron ore, limestone, fire clay, and other minerals, or to use and consume the same, and to manufacture iron, and to transport said articles, or any of them, to market, and to dispose of the same, and to do all such other acts and things as may be necessary in the prosecution of said business; and, also, to make all such improvements and erections, as a successful prosecution of said business may require: *Provided*, That no portion of said lands shall be located north, or east, of the French creek.

*Authorized to hold, or lease, lands and mineral rights, &c.*  
*Proviso.*

SECTION 5. That it shall be lawful for said company to construct and operate a railroad, or railroads, from any part of their lands, to connect with the Jamestown and Franklin railroad: *Provided*, That, in the construction of the same, the said company shall have all the powers and privileges, and be subject to all the limitations and restrictions, of an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto.

*May construct railroads.*  
*Subject to.*

SECTION 6. That any incorporated bank, railroad, coal, or iron company, shall have power to subscribe to the capital stock, or to purchase the bonds of said company; and such subscriber shall be represented at the elections of said company, by such person, or persons, as may be designated by the governing powers of such subscribing corporation.

*Other companies may subscribe to stock.*

SECTION 7. The affairs of said company shall be managed and conducted by a board of five directors, one of whom shall be president; the directors, so chosen, shall elect one of their number president of the board of directors of said company; that the commissioners, named as aforesaid, or a majority of them, as shall have acted, shall, as soon as conveniently may be after letters patent shall be obtained, appoint a time and place for the subscribers to meet to organize the company, and

*Management.*  
*Organization.*

Notice.	shall give at least two weeks' notice thereof, in one or more newspapers published in Mercer or Venango counties; and
Mode of conducting first election of directors.	at the first election, the said commissioners shall appoint three disinterested men to be judges of said election, and to hold the same, who shall first respectively take and subscribe an oath, or affirmation, before an alderman, or justice of the peace, well and truly, according to law, to conduct said election to the best of their knowledge and ability; and the said judges shall decide upon the qualifications of voters, and when election is closed, count the votes, and declare who have been elected; the directors shall be elected annually, in manner, and at such time and place, as the by-laws may prescribe; if, for any cause, the election of directors shall not take place at the time fixed, the failure to elect on the day shall not work a forfeiture of the charter; but it shall be lawful to elect, at a subsequent time, after public notice, as aforesaid, be given; and in the mean time, and until their successors are duly qualified, the acting directors shall continue to exercise their power; at all elections, by the stockholders, each share of stock shall entitle the holder to one vote in person, or by proxy.
Failure to hold election not to work forfeiture of charter.	
Votes.	SECTION 8. The said company shall have authority to enact and establish by-laws, prescribing the number and duties of its officers, the manner of filling vacancies in the board of directors, the amount and time of declaring dividends, and all other needful rules and regulations, not inconsistent with the laws of this state, or of the United States; that the corporation shall have the authority to hold and use a common seal, and the same to change and alter, or amend, at pleasure; and, by the style and title aforesaid, shall be capable in law to sue and be sued, before any court in this commonwealth.
By-laws.	
Seal.	
When act to go into effect.	SECTION 9. That this act shall not go into effect until not less than two thousand shares of the capital stock shall have been subscribed, and at least fifty per cent. thereof paid in, of which a statement, containing the names of the subscribers, and the amount subscribed and paid by each, shall be certified by a majority of the corporators herein named, to the governor, who shall, thereupon, issue letters patent to said corporators, or the survivors of them: <i>Provided</i> , That this act shall not be so construed as to confer on the said corporation banking privileges.
Letters patent.	
Prohibition.	

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The first day of August, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.



No. 952.

## An Act

In relation to the plans of survey of certain streets, in the Twenty-fourth ward, of the city of Philadelphia.

WHEREAS, A certain tract, or piece of land, commonly known as the Mayland Dam property, lying and being between the Darby road and the Baltimore turnpike, and between Forty-second and Forty-sixth streets, in the Twenty-fourth ward, of the city of Philadelphia, with certain adjoining smaller strips, in all containing about twenty-five acres, have been recently acquired, with the intention of laying out the same as a park, at the private expense of the owners and of the contributors thereto :

*And whereas,* The irregularities of surface and other causes render the said tract of land unsuitable for building purposes, and prevent the streets of the said city from being extended across and through the same, according to the established plan of survey thereof, without great expense to the city ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the owners of said tracts of land, not exceeding twenty-five acres in extent, or the majority of them, or any one duly authorized to act in their behalf, within six months after the passage hereof, to file, in the department of surveys of said city, a plan of said tract of land, by courses and distances, with a declaration of the period of time it may be intended to keep and maintain the same as a park ; and upon the receipt of said plan and declaration, the president of said board of survey shall cause said plan to be marked upon the established plan of survey of the proper district, in such manner as shall indicate the outlines and exact situation of the same ; whereupon, so much of the said plan of survey of said city, as may be included within the limits of the said tract of land, shall thenceforth be suspended ; and no street shall be opened, or continued across, or within the limits of said tract of land, during the period it shall be held and used as a park, as aforesaid, without the consent of the owners thereof ; which time may be extended as often as it may expire, by and with the consent of the said owners, or their trustee, and of the board of survey, upon a like declaration being so filed : *Provided however,* That nothing herein contained shall suspend, effect, or alter, the established plan of the Darby road, or Baltimore avenue, or the grades thereof, adjoining said premises, nor shall prevent the city of Philadelphia, at any time, from using any portion of said tract of land, that may be required

for the drainage, or sewerage of said ward, according to the established plan of surveys thereof.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of July, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 953.

## A Supplement

To an act to incorporate the Fairmount Passenger Railway Company, approved thirteenth day of April, one thousand eight hundred and fifty-eight.

Authorized to elect an additional number of directors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fifth section of said act be so construed, as to permit said Fairmount Passenger Railway Company, at its annual election, to elect a president and twelve directors; and in case it shall be deemed expedient to increase the present number of the directors of said company, before the period of another annual election shall arrive, the present board of directors may order an election of additional directors by the stockholders, who shall have the same power as if duly elected at the last annual election, prior to said election.

May extend their road.

Proviso.

SECTION 2. That the said railway company be and they are hereby authorized to lay a track, from the terminus of their road, Second and Vine streets; thence east, on Vine to Front street; thence south to Race street; thence west to connect the same with the present road: *Provided*, That they first liquidate the debt for constructing the square from Third and Vine, to Second and Vine streets.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of July, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 954.

# An Act

To incorporate the Frankford and Holmesburg Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George Clark, John B. William, William E. Evans, William Raphael, John Clark, Maxwell Rowland, Benjamin F. Crispin, Prestley Blackiston, Andreas Hartel, George S. Bethell, Lewis Shallcross, Ephraim Leak, George J. Hoff, J. T. Way, Thomas Shallcross, John Soley, Robert Patterson, Samuel C. Willet, John Farnham, Richard Garside, Nathan Hillis, James K. Davis, or any five of them, be and they are hereby appointed commissioners, to open books, receive subscriptions and organize a company, by the name, style and title of the Frankford and Holmesburg Railroad Company, with all the powers, and subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved February nineteenth, Anno Domini one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall consist of one thousand shares, of fifty dollars each: *Provided*, That said company may, from time to time, by vote of the stockholders, at a meeting called for that purpose, increase the capital stock of said company, if it should be deemed necessary so to do, to an amount not exceeding one thousand shares.

SECTION 3. That the said company shall have the right to build and construct a railroad, from the village of Holmesburg, in the Twenty-third ward, of the city of Philadelphia, to the late borough of Frankford, within said ward, and at such point as may be within, or near to, said borough of Frankford, as may connect with any railroad built and constructed, or to be built and constructed, by the Frankford and Philadelphia Railway Company, of the city of Philadelphia, or with any other railroad, built and constructed, or to be built and constructed, by any other railroad company, located, or to be located within the limits of said borough of Frankford, or in the vicinity thereof: *Provided*, That the officers and directors of any of said railroad companies, or their agents, duly authorized, can and do agree with the said, the Frankford and Holmesburg Railroad Company, so to do, if such connection be considered to the greater benefit of said company, and of those using said railroad.

SECTION 4. That the said Frankford and Holmesburg Railroad Company, if deemed expedient, may extend said railroad from Holmesburg to Bustleton, within said Twenty-third ward, of the city of Philadelphia.

SECTION 5. That said company shall, within three years from the passage of this act, commence the construction of said

Commissioners.

Title.  
Subject to.

Capital stock.

Construction of  
railroad authorized.May connect  
with other  
roads.

Proviso.

Road may be  
extended.When to be  
commenced and  
completed.

railroad ; and unless the same shall be completed, with in five years thereafter, this act shall be null and void.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of July, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 955.

## A Further Supplement

To an act to incorporate the Reading and Columbia Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Reading and Columbia Railroad Company be and they are hereby authorized to construct, at such time, or times, as the said company may determine, any, or all, of the branch, or lateral, railroads, authorized by a supplement to the act, to which this is a further supplement, approved May first, Anno Domini one thousand eight hundred and sixty-one ; and that for the purpose of constructing said branch, or branches, the said company may, by a vote of the stockholders, at a meeting to be called for the purpose, borrow money, not exceeding in amount fifteen thousand dollars for each mile of such branch road, or roads, and to issue therefor bonds, bearing interest at seven per cent. per annum, to be secured by a first mortgage upon said branch, or branches.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of September, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 956.

## A Supplement

To an act to incorporate the Jersey Shore, Pine Creek and State Line Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter, granted by the act, entitled "An Act to incorporate the Jersey Shore, Pine Creek and State Line Railroad Company," approved the eleventh day of April, Anno Domini one thousand eight hundred and fifty-three, and the supplement, extending the time for the commencement and completion of the same, for a period of five years, be and the same is hereby revived; and the time fixed for the commencement and completion of said railroad, by the said supplement, be and the same is hereby extended for a period of eight years from the passage of this act.

Time for commencement and completion of road extended.

SECTION 2. That John A. Gamble, Robert Crane, John J. Sanderson, Edward D. Trump, P. M. Price, A. C. Goell, Richard B. Osburn and Robert G. White, be and the same are hereby appointed commissioners, to open books, receive subscriptions, and organize said company, in the place and stead of the persons named in the said act of incorporation, approved April eleventh, one thousand eight hundred and fifty-three: *Provided*, That nothing in this act, nor in the original act, incorporating said company, or its supplements, shall be construed to authorize said Jersey Shore, Pine Creek and State Line Railroad Company to locate their road, or any branch thereof, within ten miles of the valley of the Tioga river, in Tioga county, nor shall the said company be authorized to connect their road, or any branch thereof, with the road of the Tioga Railroad Company, at any other point than the village of Blossburg, in the county of Tioga.

Commissioners appointed in lieu of original corporators.

Proviso.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The eighteenth day of September, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 957.

**An Act**

To incorporate the Lee Coal Company.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

**Commissioners** That Caleb Lee, James Laughlin, William Bagaley, Joshua Rhodes, William M. Lyon, John H. Shoenberger, William F. Johnston, Hugh B. Wilkins, John M'Donald Crossan, Isaac M. Pennock, George S. Selden, Christian S. Eyster and Francis Rahm, or any five of them, be and they are hereby appointed commissioners, to open books, after having given not less than ten days' notice thereof, in at least one newspaper, published in the city of Pittsburg, to receive subscriptions, and organize

**Name.** a company, under the name, style and title of the Lee Coal Company, and as such shall have power to take and hold lands

**Powers and privileges.** and real estate, in the county of Allegheny, not exceeding, in quantity, at any one time, one hundred acres of surface, and five hundred acres of coal, with power to mine said coal, and such other minerals, as may be contained in the said lands, and to transport and vend the same, and generally to do all such things and acts as may be necessary to carry into effect the objects of this incorporation.

**Capital stock.** *SECTION 2.* That the capital stock of said company shall be one hundred thousand dollars, divided into five thousand shares of twenty dollars each; and the said company is hereby declared and made capable, in law, to sue and be sued, implead

**Seal.** and be impleaded, to have a common seal, and the same to alter

**May sell real estate, &c.** at pleasure, to sell and convey their real estate, and purchase, hold and sell such personal property as may be necessary to promote the objects of the corporation.

**Certain provisions extended to.** *SECTION 3.* That the third, fourth, fifth, sixth, seventh and eighth sections, of the act incorporating the North American Oil Company, approved the first day of May, one thousand eight hundred and sixty-one, be incorporated into and made part of this act.

**JOHN CESSNA,**

Speaker of the House of Representatives.

**GEORGE V. LAWRENCE,**

Speaker of the Senate.

**APPROVED—**The twenty-ninth day of September, Anno Domini one thousand eight hundred and sixty-three.

**A. G. CURTIN.**

No. 958.

**An Act**

For the relief of the sureties of John H. Rothrock.

WHEREAS, John H. Rothrock was treasurer of Lycoming county, for the years one thousand eight hundred and fifty-four, and one thousand eight hundred and fifty-five, and as such stands indebted to the commonwealth in the sum of two thousand and twenty-one dollars and ten cents, with interest:

*And whereas*, The said treasurer, John H. Rothrock, has become insolvent, and has left the state of Pennsylvania, leaving the whole balance of his indebtedness to be paid by his sureties, D. G. Anthony, now deceased, Joseph G. Rathmell, now deceased, Lewis G. Huling, Elisha Covert and James H. Rothrock:

*And whereas*, The said D. G. Anthony and Joseph G. Rathmell have died, since the defalcation of said treasurer, leaving only a house and lot in Williamsport, for the support and maintenance of four small children; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer be and he is hereby authorized and required to release the estates of the said D. G. Anthony and Joseph G. Rathmell, two of the bail of said John H. Rothrock, if the administrators of said D. G. Anthony and Joseph G. Rathmell shall, within six months after the passage of this act, each pay, into the treasury of the state, one-fifth of the whole of the balance of the principal debt due the commonwealth, without interest: *Provided*, That the other sureties of the said John H. Rothrock shall severally be released from liability, upon payment of their several portions of the balance of the principal debt, without interest, as aforesaid.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixteenth day of October, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.





into effect the provisions of this enactment, and promote the object and design of this act of incorporation, to be located in the borough of Bethlehem, in the county of Northampton: *Provided*, That a misnomer of the said corporation, in any instrument, shall not vitiate the same, if the intent of the parties can be clearly ascertained: *And provided further*, That nothing in this act shall be so construed as to exempt the said corporation from the operation of the laws of this commonwealth, prohibiting the issuing of bank notes.

Misnomer.

Prohibition.

SECTION 2. That the business of the said corporation shall be to receive on deposit, from time to time, such sums of money, not less than ten cents, as may be offered by tradesmen, clerks, mechanics, laborers, servants, minors, married women, and others, and to invest the same in the stocks of this commonwealth, or of the United States, or in stocks, or bonds, of any city, or borough, authorized to be issued by any act of the legislature of this commonwealth, or in other stocks, or in bonds and mortgages, promissory notes, with approved endorsements, and other approved and valid securities; the said corporation shall receive all sums of current money, that may be offered as aforesaid, and shall invest the same in the manner

Deposits, how to be invested.

aforesaid, as soon as practicable; they shall allow to the depositors such rate of interest, upon the deposits, as may be agreed upon: *Provided however*, That the same shall not exceed the rate fixed upon by the trustees, as hereinafter provided; and they shall pay the amounts deposited, with the interest thereon, or any part thereof, not less than ten cents, to the depositors, at the place of business of the said corporation, at any time during business hours, on demand: *Provided however*, That not more than twenty-five dollars shall be required to be paid to any one depositor, upon any one day, unless written notice, of the sum intended to be demanded, shall have been given at least ten judicial days before the time when such payment is desired to be made.

Interest to depositors, rate of.

Payment of deposits.

Notice required where the amount exceeds \$25.

SECTION 3. That the real estate, which it shall be lawful for the said corporation to hold, shall be only such as is requisite for the accommodation and convenient transaction of their business, and such as they may find necessary to purchase, either at judicial sales, or otherwise, to secure debts due to them, not exceeding the sum of ten thousand dollars.

What real estate may be held.

SECTION 4. That the persons, named in the first section of this act, or any nine of them, shall elect, by ballot, nine persons, either from among those named in this bill, or others, to be the first trustees of the said corporation; no person to be considered elected, unless he shall have received the affirmative vote of at least five of the said incorporators; that vacancies by death, resignation, or otherwise, shall be filled by the board of trustees, as soon as practicable, by an affirmative vote of at least five of their number, at any election held by ballot; that the said trustees shall elect, from among themselves, a president and vice president, and shall appoint such other officers as they may deem necessary; that five of the said trustees shall form a quorum, and that the affirmative vote of at least five shall be requisite to authorize the sale, or transfer, of securities, or the appointment of any officer re-

Election of trustees.

Vacancies.

Officers.

Quorum.

Sale, or transfer, of securities, &amp;c.

Prohibition.	ceiving compensation; that the president, vice president, or any trustee, or any officer, or servant, of the said corporation, shall not directly, or indirectly, borrow the funds of the said corporation, nor any part thereof, in any other manner than that hereinbefore provided, except for the payment of the necessary expenses, under the direction of the trustees; that the said trustees shall meet regularly, at least once a month, and that any trustee, omitting to attend the said regular meeting, for six successive months, may, by a vote of the board, be declared to have vacated his office; that the said trustees shall have power to enact by-laws, not contrary to the constitution of the United States, the constitution of this commonwealth, or the provisions of this act, and to alter the same, from time to time, as they may deem expedient.
Meetings of trustees.	
By-laws.	
Trustees to regulate rate of interest, &c.	SECTION 5. That the trustees, at their monthly meeting in January, in each year, shall regulate the rate of interest upon deposits; that interest shall not be allowed to any depositor, until his deposits shall amount to two dollars, the interest to be calculated by calendar months only, and no interest to be allowed for the fraction of a month; that deposits made by minors, or married women, may be re-paid to them, and their receipts shall discharge the said corporation from any further claims for the sums so re-paid.
Deposits by minors and married women.	
Capital to be raised for security of depositors.	SECTION 6. That for the security of the depositors of the said institution, it shall be the duty for the persons named in the first section, and such others as may become members of the institution, previous to the granting letters of incorporation, to raise and form a capital of not less than five, nor more than fifty, thousand dollars, in shares of twenty dollars each; which capital shall at all times be liable to the depositors for the amount of their deposits, and the interest accruing thereon; the shares to be transferable on the books of the institution, in such manner as may be designated by the by-laws of said institution.
Shares transferable.	
Trustees to report to the legislature.	SECTION 7. That it shall be the duty of the trustees, in the month of January, in each year, to report to the legislature the aggregate amount of deposits on hand, with the interest that has accrued thereon; and as often as they may deem proper, make and declare a dividend of the interests and profits of said corporation, after paying its expenses, and reserving a fund for contingencies, and the same pay over to the shareholders, or their legal representatives, within ten days thereafter, and to make a full exhibit of the affairs of the said institution, according to the acts of the general assembly, in such case made and provided.
Dividends, relative to.	
Officers and agents to give security.	SECTION 8. That the officers and agents of the said corporation shall give security for their fidelity and good conduct, as the board of trustees may require; and that in all cases of loans upon real estate, the expenses of searches, examinations and certificates, and recording papers, shall be paid by the borrower; that the books of the said corporation shall at all times, during business hours, be open for the inspection and examination of such person, or persons, as the legislature shall designate, or appoint for that purpose; that the said corporation shall be subject to the supervision and control of the
Expenses of examinations in cases of loans upon real estate, how paid.	
Books to be open for inspection.	

court of common pleas of the county of Northampton, and the Subject to su-  
 supreme court of Pennsylvania, according to the provisions of pervision of  
 the constitution of this commonwealth, and the several acts courts.  
 of assembly, conferring equity jurisdiction upon the said courts.

SECTION 9. That each and every person, upon entering upon Trustees to give  
 the discharge of the duties of trustee, in pursuance of this act, bond.  
 shall be required to execute a bond to the commonwealth of  
 Pennsylvania, in such amount as the court of common pleas  
 of the county of Northampton shall fix, to be filed with the  
 prothonotary of said court, and conditioned for the faithful  
 keeping and appropriation of all such sums of money as shall  
 be placed in charge of the said Dimes Saving Institution,  
 whether as deposit, or shares of stock: *Provided*, That the Proviso.  
 said court of common pleas may, at any time, require the  
 amount executed of said bond to be enlarged.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-third day of October, Anno Domini  
 one thousand eight hundred and sixty-three.

A. G. CURTIN.

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No. 961.

## An Act

Relating to actions of ejectment.

SECTION 1. *Be it enacted by the Senate and House of Represen-  
 tatives of the Commonwealth of Pennsylvania in General Assem-  
 bly met, and it is hereby enacted by the authority of the same,*  
 That in all legal actions of ejectment, wherein there has been,  
 or shall be, one verdict and final judgment, or verdict and  
 judgment against verdict and judgment, between the same par-  
 ties, and the party or parties, his or their heirs, or assigns,  
 remaining in possession of the premises, the title to which  
 is, or may be, in controversy, shall be desirous of settling the  
 same, it shall be lawful for such party, or parties, so in pos-  
 session, to enter a rule upon the adverse party, claiming title  
 to such premises, requiring him, or them, to commence his, or  
 their, second, or third, action of ejectment, as the case may  
 be, within two years thereafter, or show cause why the same  
 cannot be so brought; which rule shall be entered of record,  
 in the case last tried between the parties, and shall be served  
 and returned by the sheriff, as writs of summons are served  
 and returned.

SECTION 2. That whenever the party, or parties, upon whom such rule shall have been served, shall fail to appear, and show cause why such action should not be brought within two years after such service, it shall be the duty of the court to enter judgment, and make the rule absolute against the party so failing; which judgment shall be final and conclusive between the parties, their heirs and assigns, in the same manner as a second, or third, verdict and judgment, between the same parties, would be, if regularly rendered upon trial.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of December, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

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No. 962.

## An Act

In relation to feeding stock, while awaiting transportation on railroads.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That it shall be lawful for drovers, owners, or shippers, of horses, cattle, sheep, hogs and other animals, upon the several railroads of this commonwealth, and they, or either of them, by themselves, or their agents, shall have the right, at all seasonable hours, to enter any of the stock, or cattle yards, of any of said companies, used in connection with said railroads, for the purpose of feeding and taking care of said animals, while in said yards waiting transportation; and when the cars have been designated by railroad companies, or their agents, to receive any of said animals for transportation on said roads, it shall be lawful, and the said drovers, owners, or shippers, of said animals, or their agents, shall have the right to provide suitable and customary bedding for the kind of animals to be transported, and place same in said cars, before said animals are put into the same for transportation: *And provided,* That said bedding shall be of the usual and customary kind

used for that purpose, and shall not increase the risk, or hazard, of said companies, in the said transportation.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixteenth day of December, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 963.

## An Act

Relative to Landlords and Tenants.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That where any person, or persons, in this state, having leased, or demised, any lands, or tenements, to any person, or persons, for a term of one, or more, years, or at will, shall be desirous, upon the determination of said lease, to have again and re-possess such demised premises, having given three months' notice of such intention to his lessee, or tenant, and said lessee, or tenant, shall refuse to leave and surrender up the said premises, at the expiration of said term, in compliance with the terms of said notice, it shall be lawful for such lessor, his agent, or attorney, to complain thereof, to any justice of the peace, in the city, borough, or county, wherein the demised premises lie, whose duty it shall be to summon the defendant to appear at a day fixed, as in other civil actions, and, upon due proof being made, the tenant, having notice of the time and place of hearing, that the said lessor was quietly and peaceably possessed of the lands, or tenements, so required to be surrendered up, and that he demised the same to the tenant in possession, or to some other person, under whom such tenant claims, and that the term, for which the same were demised, is fully ended, and that three months' previous notice had been given of his desire to re-possess the same, then and in that case, if it shall appear right and proper to the said justice, he shall enter judgment against the said tenant, that he forthwith give up the possession of the said premises to the said lessor; and the said justice shall also give judgment in favor of the lessor, and against the lessee, or tenant, for such damages as, in his opinion, the said lessor may have sustained, and for all the costs of the proceeding; and he shall forthwith issue his war-

rant, to any constable in the county, commanding him, immediately, to deliver to the lessor, his agent, or attorney, full possession of the said demised premises, and to levy the damages and costs, awarded and taxed by the said justice, of the goods and chattels of the lessee, or tenant, or other person in possession; any law, custom, or usage, to the contrary notwithstanding: *Provided*, That the defendant may, at any time within ten days after the rendition of judgment, appeal to the court of common pleas, in the manner provided in the first section of an act relative to landlords and tenants, approved April third, one thousand eight hundred and thirty: *And provided further*, That such appeal shall not be a *supersedeas* to the warrant of possession, aforesaid, but shall be tried in the same manner as actions of ejectment; and if the jury shall find in favor of the tenant, they shall also assess the damages which he shall have sustained by reason of his removal from the premises; and for the amount found by the jury, judgment shall be rendered in his favor, with costs of suit, and that he recover possession of the premises, and he shall have the necessary writ, or writs, of execution to enforce said judgment: *And provided further*, That the tenant may have a writ of *certiorari*, to remove the proceedings of the justice, as in other cases.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of December, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 964.

## An Act

Confirming the title of Joseph W. Moore to a certain tract of land, in Tinicum township, Delaware county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the title taken by Joseph W. Moore, of the city of Philadelphia, to a tract of land, in the township of Tinicum, Delaware county, under a conveyance, made to him on the fourth day of February, one thousand eight hundred and sixty-three, by the Cottage Building Association, shall not be deemed invalid, by reason of the said association's mortgage, upon the

premises so conveyed, having been divested by a sheriff's sale, prior to the purchase thereof, which was made by the said association, to save itself from the loss of the said mortgage debt; but the said title shall be deemed as perfect as if the said association had held a legal lien, or interest in the premises in question, at the time of the purchase thereof by the Cottage Building Association.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of December, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

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No. 965.

## An Act

Relating to the liens of common carriers, and others.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases, in which commission merchants, factors and all common carriers, or other persons, shall have a lien, under existing laws, upon any goods, wares, merchandize, or other property, for, or on account of, the costs, or expenses, of carriage, storage, or labor bestowed on such goods, wares, merchandize, or other property, if the owner, or consignee of the same, shall fail, or neglect, or refuse to pay the amount of charges upon any such property, goods, wares, or merchandize, within sixty days after demand thereof, made personally, upon such owner, or consignee, then, and in such case, it shall and may be lawful for any such commission merchant, factor, common carrier, or other person, having such lien, as aforesaid, after the expiration of said period of sixty days, to expose such goods, wares, merchandize, or other property, to sale, at public auction, and to sell the same, or so much thereof, as shall be sufficient to discharge said lien, together with costs of sale and advertising: *Provided,* That notice of such sale, together with the name of the person, or persons, to whom such goods shall have been consigned, shall have been first published for three successive weeks, in a newspaper, published in the county, and by six written, or printed handbills, put up in the most public and conspicuous places in the vicinity of the depot where the said goods may be.

SECTION 2. That upon the application of any of the persons, or corporations, having a lien upon goods, wares, merchandize, or other property, as mentioned in the first section of this act, verified by affidavit, to any of the judges of the courts of common pleas of this commonwealth, setting forth that the places of residence of the owner and consignee of any such goods, wares, merchandize, or other property, are unknown, or that such goods, wares, merchandize, or other property, are of such perishable nature, or so damaged, or showing any other cause that shall render it impracticable to give the notice as provided for in the first section of this act, then, and in such case, it shall and may be lawful for a judge of the city, or county, in which the goods may be, to make an order, to be by him signed, authorizing the sale of such goods, wares, merchandize, or other property, upon such terms, as to notice, as the nature of the case may admit of, and to such judge shall seem meet: *Provided*, That in cases of perishable property, the affidavit and proceedings, required by this section, may be had before a justice of the peace.

SECTION 3. That the residue of moneys, arising from any such sales, either under the first or second sections of this act, after deducting the amount of the lien, as aforesaid, together with costs of advertising and sales, shall be held subject to the order of the owner, or owners, of such property.

SECTION 4. That an act of the general assembly, entitled "An Act in reference to liens of common carriers, and others," approved the sixteenth day of March, Anno Domini one thousand eight hundred and fifty-eight, be and the same is hereby repealed.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The fourteenth day of December, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

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No. 966.

## An Act

For the exoneration of the sureties of J. S. P. Dewolf, late Register and Recorder of Butler county.

WHEREAS, By the act of sixteenth of April, Anno Domini one thousand eight hundred and twenty-seven, the auditor general is required to transmit to the prothonotaries of the



several counties, to be by them entered of record, certified copies of the accounts of county officers, which are liens against sureties, by act of March thirtieth, one thousand eight hundred and eleven, and which certificates were not transmitted according to law, but were withheld for almost three years, (three different accounts being sent at the same time,) said accounts showing a defalcation on the part of said register and recorder, to the amount of between eight hundred and nine hundred dollars :

*And whereas*, On the twenty-sixth of March, one thousand eight hundred and fifty-seven, said Dewolf aliened his farm by deed, which amounted, in value, to about two thousand dollars, by reason of which alienation, (the accounts, as aforesaid, not being sent on, until the fifteenth of August following,) he became insolvent ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sureties of said Dewolf be and they are hereby released from all liability to the commonwealth, for said sum, for which said Dewolf is defaulter.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The twenty-first day of December, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 967.

## Supplement

To an act incorporating the Pittsburg Coal Company, passed April third, one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Pittsburg Coal Company shall have the right to take, receive and hold, in fee simple, or for any less estate, coal and coal lands, in the counties of Allegheny, Washington and Westmoreland, not exceeding, at any one time, two thousand acres, with power to sell, mortgage, lease, or otherwise dispose of, the same, or any part thereof, and to work, mine, transport to market and vend, the coal and other minerals, contained in said lands.

Authorized to hold coal lands, &c., in certain counties.

Certain provisions extended to.

SECTION 2. That the provisions of the fifteenth section of act regulating railroad companies, approved February nineteenth, one thousand eight hundred and forty-nine, is hereby extended to any railroad, or other property, owned, or used, by said Pittsburg Coal Company; and the word "railroad," in sections one hundred and forty-two, one hundred and forty-three, and one hundred and forty-seven, of an act to consolidate, revise and amend the penal laws of this commonwealth, approved March thirty-first, one thousand eight hundred and sixty, shall be construed to extend to, and include, any railroad, or railroads, constructed under the provisions of the act to which this is a supplement.

JOHN CESSNA,

Speaker of the House of Representatives.

JOHN P. PENNEY,

Speaker of the Senate.

APPROVED—The twenty-second day of December, Anno Domini one thousand eight hundred and sixty-three.

A. G. CURTIN.

No. 968.

## A Further Supplement

To an act to incorporate the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever, hereafter, the report of any jury, assessing damages for opening, or widening, of any road, or street, in the city of Philadelphia, shall be finally confirmed by the court of quarter sessions of the said city and county, the sums assessed as damages, against the owners of the properties found to be benefitted by the opening, or widening, of such street, or road, shall be and remain liens on the said properties, against which they are severally assessed, for the space of six months, from the said confirmation of such report; and that it shall be lawful to file, in the office of the court of common pleas, of the city and county of Philadelphia, a claim against the owners of the said several properties, for the amount so assessed, as damages against such property, in the name of the city of Philadelphia, for the use of the persons, in favor of whom said damages shall have been awarded; which claims, so filed, shall continue and have the same effect and lien as municipal claims, when filed, now have, and be recovered by

*scire facias*, in the same way and manner as municipal claims are now recoverable, in the said city of Philadelphia.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixth day of January, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 969.

## An Act

Concerning streets and sewers, in the city of Pittsburg.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the select and common councils of the city of Pittsburg be and they are hereby authorized to lay out and open new streets, lanes and alleys in said city, whenever they may deem the same necessary, and to widen, straighten, or extend, any that are now laid out, or opened, or that may hereafter be laid out, or opened; and they are hereby authorized to levy and collect the value of property thus taken, or the damages done to property thereby, by an assessment upon the properties which may be benefitted by such improvement: *Provided however,* That before any such street, lane, or alley, shall be opened for public use, and before any private property shall be taken for the purposes aforesaid, all damages, which any owner, or owners, of property may sustain, or be likely to sustain thereby, shall first be ascertained, and paid as herein-after directed.

Councils authorized to open new streets, alleys, &c., and widen and extend such as are now laid out.

Damages, relative to.

**SECTION 2.** That whenever the said councils shall desire to lay out, open, widen, straighten, or extend, any street, lane, or alley, they shall, by ordinance, fix the location, breadth and length of the same, and appoint three discreet and disinterested freeholders of said city, as viewers, to view the premises, appraise the damages, and make the assessments.

Location, &c., of streets to be fixed by ordinance and viewers appointed.

**SECTION 3.** That said viewers, before entering upon their duties, shall be sworn to faithfully, honestly and impartially discharge the duties of their appointment; they shall give five days' notice, by handbills, posted up in the most conspicuous places, along the route of the proposed improvement, of the time they will view the premises, and receive claims for damages; they shall appoint a convenient time and place, and

Viewers to be sworn.

Notice required

Their duties and powers.

give thereof, to all parties, claiming, or likely to claim, damages, when they will hear their allegations and evidence on the subject; they shall make a true and conscionable appraisal of the damages, taking into consideration, in said appraisal, the probable advantages and benefits, as well as disadvantages, which any owner, or owners, will be likely to sustain, by reason of the proposed improvement; after ascertaining the whole amount of damages, they shall assess the same equitably, justly and without partiality, upon the properties that may be, or will likely be, benefitted by said improvement; they shall make, or cause to be made, a plot of the proposed improvement, indicating its location, and the location, size, boundaries and improvements of each property, damaged, or benefitted, with the name of the owner, or owners, of each; and shall prepare a statement, showing the amount of damages allowed, and the assessment made in each case; they shall give ten days' notice, to the owner of each property, of a time and place, when he may see said plot and statement, and when they will hear any complaints, or evidence, he may have to offer on the subject; they shall hear and consider all complaints and evidence, that may be presented, at the time and place appointed, and after making any corrections, or modifications, they may deem necessary, or just, they shall make a report to said councils, accompanied by the plot aforesaid, stating the aggregate amount of damages, the amount allowed in each case, and to whom payable, and also describing each property assessed, the amount assessed thereon, and the name of the owner.

Report to be made to councils.

Appeals.

Councils to approve report.

Proceedings may be had thereon, before court of quarter sessions, upon presentation of petition, &c.

Costs of appeal, relative to.

After approval, city solicitor to collect the assessments, &c.

Notice to be given.

SECTION 4. That the said councils shall hear any appeals, or further complaints, made by any person aggrieved, by the report of said viewers, and shall have power to send back the report for further action, or to quash the proceedings; whenever the report of the viewers is finally acted upon by councils, and approved by them, their approval shall be final and conclusive: *Provided however*, That if, within ten days after the final action of councils, any person interested, shall present a petition to the court of quarter sessions of said county, setting forth the facts in the case, and that he verily believes injustice has been done him, by the report of said viewers, it shall be the duty of the clerks of said councils, upon notice of said petition to court, to certify to said court all the papers and proceedings in the case; and thereupon, the said court shall take such action in the premises, as they may think right and proper, and shall have power to hear evidence, to modify, correct, or approve, said report, or quash the whole proceedings, or to appoint new viewers, with the like power to modify, correct, or approve their report, or quash their proceedings; and in case of an appeal to court, the court shall direct who shall pay the costs of the appeal.

SECTION 5. That after the final approval by councils, the plot and report of the viewers shall be handed over to the city solicitor, to collect the assessments, and pay the damages; he shall give notice for three weeks, in two daily papers of said city, that if the said assessments be not paid within thirty days of the date of said notice, liens will be filed therefor

against the properties assessed, with interest, costs and fees ; if the assessments are not paid within the thirty days, he shall file liens therefor in the district court of the county, and proceed to collect the same, with interest from the date of the approval by councils, or by the said court, and five per centum additional, as the solicitor's fee for collection.

If not paid within thirty days, liens to be filed, &c.  
Fee for collection.

SECTION 6. That the said councils are hereby authorized, whenever they may deem the same necessary, to cause to be graded, re-graded, paved, re-paved, or macadamized, any public street, lane, or alley, or any parts thereof, which is now, or which may hereafter be, laid out and opened in said city, or which may be in whole, or in part, boundaries of said city, and to have the same set with curbstone ; and the said councils are hereby authorized to levy and collect the cost and expense of the same, from the owners of property, bounding, or abutting on, the portions of said streets, lanes, or alleys, thus improved, by an assessment of an equal sum per foot front of said properties.

Grading, paving and macadamizing streets, alleys, &c., relative to.

Councils to collect cost thereof from property owners.

SECTION 7. Whenever any street, lane, or alley, or any part thereof, has been graded, re-graded, paved, re-paved, or macadamized, in pursuance of the preceding section, it shall be the duty of the recording regulator of said city to make the assessment for the cost and expense thereof, as provided for in said section, and to give notice, by publication for ten days, in two daily papers of said city, that the said assessment has been made, and may be seen at his office, and that the parties interested may have an opportunity of having any errors, or mistakes, corrected ; after correcting any errors, or mistakes, that may have been discovered, he shall immediately hand over the said assessments, with a plan and description of each lot, the amount assessed thereon, and the name of the owner, or owners, to the treasurer of said city.

Recording regulator to make the assessment and give notice of the same.

List to be given to city treasurer

SECTION 8. That as soon as the treasurer shall have received the said assessment list from the recording regulator, he shall cause notice of the amount assessed, upon each property, to be given to the owner thereof ; and that if the same be not paid to him within thirty days, from the time of said notice, it will be filed as a lien against said property, with interest, costs and fees.

Treasurer to notify property owners of the amount assessed.

SECTION 9. That if said assessments are not paid within thirty days after the service of notice aforesaid, the treasurer shall hand over, to the city solicitor, the said assessment list, with the plan and description of each lot, et cetera, as furnished by the recording regulator ; and the city solicitor shall file a lien against each property, for the amount of the assessment thereon, remaining unpaid, with interest from the time notice for payment was given, and five per centum additional, as the solicitor's fee for collection.

If not paid within thirty days, city solicitor to file lien.

Fee for collection.

SECTION 10. That whenever any owner of property shall have sustained damages greater than the advantages and benefits, conferred by the grading, or re-grading, of any street, lane, or alley, in said city, done in pursuance of the sixth section of this act, the said councils shall have power to levy and collect the said damages, by an assessment upon the properties that may be benefitted by said grading, or re-grading ; and,

Mode of appraising and assessing damages.

	upon the petition of any person claiming damages, it shall be the duty of said councils to appoint three discreet and disinterested freeholders, of said city, as appraisers, to appraise the damages of the petitioner, and all others who may have sustained damages, by the said grading, or re-grading, and to make the assessments therefor: <i>Provided</i> , That no person shall be entitled to damages, unless some one make application for appraisers, within thirty days after the completion of the said grading, or re-grading: <i>And provided further</i> , That when said councils shall have fixed and ordained the grade of any street, lane, or alley, proposed to be graded, or re-graded, they may, before the work is commenced, and without any petition, appoint the appraisers, to whom all claims for damages shall be submitted, and none others shall thereafter be received, or allowed.
Proviso.	
Proviso.	
Appraisers to be sworn.	SECTION 11. The said appraisers, before entering upon their duties, shall be sworn to faithfully, honestly and impartially, discharge the duties of their appointment; they shall view the premises, for which damages are claimed, and in all respects conform to the duties of viewers, as prescribed in the third section of this act, except that they need not give the five days' notice by handbills, as required in said section; upon their report being made to councils, the like proceedings shall be had by councils, and to the like effect, and with the like appeal to the court of quarter sessions, as prescribed in the fourth section of this act, and the like proceedings shall be had for collecting the assessments, and paying the damages, as prescribed in the fifth section of this act: <i>Provided</i> , That if the appraisers are appointed before the work is commenced, they shall give the five days' notice by handbills, required in the said third section.
Their duties.	
Appeals.	
Collection of assessments and payment of damages.	
Notice.	
Construction of sewers authorized.	SECTION 12. The said councils are hereby authorized, whenever they may deem the same necessary, to cause sewers to be constructed in any street, lane, or alley, of said city, and to levy and collect the cost and expense thereof, by an assessment upon the properties benefitted thereby; the said assessments shall be made by three discreet and disinterested freeholders of said city, whom the said councils shall appoint as assessors for that purpose.
Cost thereof, how to be assessed and collected.	
Assessors to be sworn.	SECTION 13. The said assessors, before entering upon their duties, shall be sworn to assess equitably, justly and without partiality, the cost and expenses of the construction of said sewer, upon the properties benefitted thereby; they shall make, or cause to be made, a plot and statement, showing the location of the sewer, the streets, alleys, et cetera, the location, size and improvements, of each property assessed, with the amount assessed thereon, and the name of the owner; they shall give ten days' notice, to each owner, of a time and place when he may see said plot and statement, and when they will hear any complaints, or evidence, he may have to offer on the subject.
Their duties.	
Notice to be given.	
To make report to councils.	SECTION 14. That after hearing all complaints and evidence, that may be offered, and making any additions, modifications, or corrections, they may deem proper, or necessary, the said assessors shall make report to councils, containing the plot

and statement, as finally fixed; the like action shall then be had by councils, and to the like effect, as in the case of the report of viewers, as prescribed in the fourth section of this act.

SECTION 15. That when approved by councils, the plot and assessment lists shall be placed in the hands of the city treasurer, who shall give notice, by publication, in two daily papers of said city, for three weeks, that if the said assessments be not paid to him, within thirty days after the date of said notice, they will be placed in the hands of the city solicitor for collection, with interest, costs and fees; after the expiration of the thirty days, it shall be the duty of the city solicitor to file all the assessments remaining unpaid, as liens against the properties assessed, with interest from the time of approval by councils, and five per centum additional, as the solicitor's fees for collection.

After approval, city treasurer to give notice.

Assessments to be filed as liens, by solicitor, if not paid within certain time.

Fees for collection.

SECTION 16. That the term "owner," as used in this act, shall be construed to mean all individuals, incorporated companies, and religious, benevolent, literary, or other societies, or associations, having any title, or interest, in the properties appraised, or assessed; and in case of leaseholds, or different estates, in the same property, the viewers, appraisers, or assessors, shall have power to apportion the damages, or assessments, among the different owners, or between the lessors and lessees, and report how much each one shall receive, or pay.

Meaning of the word owner, as used in this act, defined.

SECTION 17. That the notices, required to be given by the viewers, in section three, by the treasurer, in section eight, by the appraisers, in section eleven, and by the assessors, in section thirteen, of this act, shall be given as follows, namely: if the owner is a resident of said city, by personal service upon him, or by copy left at his dwelling house, or usual place of business; if a corporation, or other association, upon its proper officers, or agents, and if the owner is not a resident of said city, or is unknown, the notice shall be posted on the premises, and a copy left with the occupant, if there is one.

Notices required by preceding sections, how to be given.

SECTION 18. That the lien, authorized by this act, shall be filed in the district court of said county, in the same manner as mechanics' liens are filed, and writs of *scire facias* and *levari facias* may be used thereon, as in case of mechanics' liens, and the same costs shall be taxed; but when the same owner has two, or more, vacant lots adjoining each other, on the same street, lane, or alley, all of said lots shall be embraced in one lien; the liens shall be filed in the name of the mayor, aldermen and citizens of Pittsburg, against the owner, or reputed owner, in a docket, specially provided for the purpose, to be called the Municipal Lien Docket, which shall have an index, containing the names of the defendants, in alphabetical order; the *scire facias* issued thereon, and all subsequent proceedings, shall be indicated on the same docket, numbered the same, and filed with the original lien; and when any such lien shall be satisfied, it shall be so marked in the index.

Mode of filing liens.

Proceedings thereon, &c. relative to.

SECTION 19. The assessments, authorized by this act, shall be liens upon the properties assessed, from the commencement of the improvements, for which they were made, and shall, if filed within six months after the completion of said improv-

Assessments filed as liens, effect of.

ments, continue liens for five years, and be revived by *scire facias*, as other liens; if, on any sheriff's sale, or other judicial sale, enough be not realized to pay off the lien, it shall continue to be a lien, until the whole amount, with the costs, be paid in full.

Mistake in description not to vitiate liens.

SECTION 20. No mistake in the description of the property, or in the name of the owner, shall vitiate the lien; but the court shall have power, on motion, at any time, to correct mistakes, and to add, or strike out, names as defendants: *Provided however*, That any owner, whose name shall be added as a defendant, after the filing of the lien, shall be served with a *scire facias*, before judgment shall be entered against him: *And provided further*, That a sale, upon a *levari facias*, shall convey only the interests of those who are defendants in the writ; but a judgment, or sale, against a reputed owner, or one having a limited estate, or interest, shall not prevent a subsequent judgment, or sale, against the true owner, or against one having a larger estate, or different interest.

Proviso.

Proviso.

Proceedings in cases where owners of lots are unknown, relative to.

SECTION 21. When the owner of a lot is unknown, the lien shall be filed against unknown owner, and indexed accordingly; a *scire facias* may issue thereon, in the same manner, which shall be published by the sheriff, for four weeks, in two daily papers of said city, with a full description of the lot, the amount assessed thereon, and for what purpose it was made; judgment may then be entered, and the lot be sold, on *levari facias*, to the same effect as if the real owner had been named.

Compensation of viewers, appraisers, &c.

SECTION 22. That the viewers, appraisers and assessors, appointed in pursuance of this act, shall each receive two dollars per day, for the time necessarily employed by them, in the discharge of their duties, which, together with all other necessary expenses, connected with their proceedings, shall be paid by the said city.

Viewers, appraisers, &c., authorized to administer oaths.

SECTION 23. That the said viewers, appraisers and assessors, shall be and they are hereby authorized to administer oaths to all witnesses, examined before them; and a majority of said viewers, appraisers and assessors, shall be sufficient, in all cases, to perform the duties required of them by this act.

Assessments made and liens filed heretofore, relative to.

SECTION 24. That the municipal assessments heretofore made, and the municipal liens of said city heretofore filed in the district court of said county, shall not be deemed invalid, in consequence of any irregularities, or defects, in the proceedings, or the filing of the same; the court shall have power, on motion, to correct any errors, or defects, in said liens, and to add, or strike out, names as defendants; and thereafter, the proceedings to collect said assessments and said liens shall be, as far as possible, in conformity to the provisions of this act.

Liens for setting curbstones and paving side-walks.

SECTION 25. That the municipal liens for setting curbstones, and paving side-walks, authorized by the act of assembly, entitled "An Act concerning the setting of curbstones, and the paving of side-walks, in the city of Pittsburg," approved the eighteenth day of April, one thousand eight hundred and fifty-seven, shall hereafter be entered and indexed in the municipal lien docket, in the same manner as the other liens authorized by this act; and it is hereby declared, that the re-paving and



repairing of side-walks and curbstones, are embraced in the meaning and provisions of the said act

SECTION 26. That all acts, or parts of acts of assembly, inconsistent with, or supplied by this act, are hereby repealed, except so far as may be necessary to consummate the proceedings, and collect the assessments, in cases now pending. Repeal.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixth day of January, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 970.

An Act

To extend the charter of the Lebanon Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Lebanon Bank, in the county of Lebanon, be and the same is hereby extended and renewed, from the date of the expiration of its present charter, for the term of five years, subject to all the restrictions and provisions, and with all the immunities and privileges, contained in an act, entitled "An Act regulating banks," approved April sixteenth, one thousand eight hundred and fifty.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixth day of January, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 971.

## An Act

To extend the charter of the Bank of Chambersburg.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Bank of Chambersburg be and is hereby extended for the period of five years, from the expiration of the present charter, with the privilege of increasing its capital stock, from two hundred and fifty-six thousand eight hundred and thirty-eight dollars and thirty cents, to two hundred and sixty thousand dollars, subject to all the restrictions and provisions, and with all the immunities and privileges, contained in an act, entitled "An Act regulating banks," approved the sixteenth day of April, one thousand eight hundred and fifty, and the several supplements thereto.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixth day of January, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

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No. 972.

## An Act

To extend the charter of the Miners' Bank of Pottsville, in the county of Schuylkill.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Miners' Bank of Pottsville, in the county of Schuylkill, be and it is hereby extended for the period of five years, from the expiration of the present charter, subject to all the restrictions and provisions, and with all the immunities and privileges, contained in an act, entitled "An Act regulating banks," approved the sixteenth day of April,

one thousand eight hundred and fifty, and the several supplements thereto.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixth day of January, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 973.

## An Act

To extend the charter of the Farmers' Bank of Bucks County.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Farmers' Bank of Bucks County, located at Bristol, Bucks county, be and the same is hereby extended and renewed from the date of the expiration of its present charter, for the term of five years, with its present capital, subject to all the restrictions and provisions, and with all the immunities and privileges, contained in an act, entitled "An Act regulating banks," approved April sixteenth, Anno Domini one thousand eight hundred and fifty, and all subsequent acts, passed for the regulation of banks within this commonwealth.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixth day of January, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN

No. 974.

*An Act*

To extend the charter of the Bank of Danville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Bank of Danville be and it is hereby extended for the period of five years, from the expiration of its present charter, subject to all the restrictions and provisions, and with all the immunities and privileges, contained in an act, entitled "An Act regulating banks," approved the sixteenth day of April, one thousand eight hundred and fifty, and the several supplements thereto.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixth day of January, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 975.

*An Act*

To extend the charter of the Farmers' and Mechanics' Bank of Easton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Farmers' and Mechanics' Bank of Easton shall be and the same is hereby extended for the term of  $\frac{1}{2}$  years, from the expiration of the present charter, with its present capital stock, powers and privileges, and subject to all the provisions now imposed upon the said bank, by the existing laws of this commonwealth.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The sixth day of January, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 976.

*A Further Supplement*

To an act to establish a Board of Wardens, for the port of Philadelphia, and for other purposes, approved March twenty-ninth, one thousand eight hundred and three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same* That from and after the passage of this act, no license shall be granted to any person to act as pilot, unless he has served a regular apprenticeship of six years on board a pilot boat.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

APPROVED—The seventh day of January, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

No. 977.

*An Act*

To incorporate the Norwood Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob M. Ellis, William Wallace, E. W. Wilson, William R. Buck, B. R. Miller and John M. Ogden, and such other persons as they may associate with them, their successors and assigns, be and they are hereby created and constituted a body corporate and politic, by the name, style and title of the Norwood Coal Company; the capital stock of said company shall not exceed five hundred thousand dollars; and the said company may hold lands in the counties of Centre and Clearfield, not exceeding, at any time, five thousand acres, and shall have the right to construct branch railroads, not more than five miles in length, and may cut, sell, or otherwise dispose of, the timber growing upon their lands, as may best promote the

Corporators.  
Title.  
Capital stock.  
Privileges.

Subject to.

interests of the corporation, and shall be entitled to all the rights and privileges, and shall, except as hereinbefore mentioned, be subject to the conditions embraced in the act, entitled "An Act to embrace joint owners and tenants in common, and adjoining owners of mineral lands in this commonwealth, to manage and direct the same," approved April twenty-first, one thousand eight hundred and fifty-four, and the various supplements thereto.

Bonus.

SECTION 2. That this corporation shall pay, into the treasury of the commonwealth, a bonus of one-half of one per centum on the capital stock hereby authorized, or hereafter created, in four equal, annual, instalments, and such taxes, or dividends, as is, or may be, provided by law; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers, employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

Taxes.

Individual liability.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

We do hereby certify, that the bill, entitled "An Act to incorporate the Norwood Coal Company," was presented to the governor, on the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-three, and was not returned, within three days after the meeting of the present legislature; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if it had been signed.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, January 13, 1864.

No. 978.

## A Further Supplement

To an act, entitled "An Act to establish a system of free banking in Pennsylvania."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That banks, established under the provisions of the free banking laws of this commonwealth, that have heretofore legally assigned to, and deposited with, the auditor general, or may hereafter legally assign to, and deposit with, him, the bonds, or evidences of debt of this commonwealth, or of the United States, in the manner specified in said law, shall be entitled to receive, from the said auditor general, the amount of the par value of said bonds, or stocks, in the notes authorized and provided for by said free banking laws; and any law, or parts of laws, inconsistent herewith, be and the same are hereby repealed.

SECTION 2. That the banks, established under the free banking laws of this commonwealth, shall have the right to assign to, and deposit with, the auditor general, the bonds, or evidences of the debt of this commonwealth, or of the United States, to an amount not exceeding twice the amount of their capital stock, and shall be entitled to receive, therefor, an amount of notes equal to the amount so deposited.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

We do hereby certify, that the bill, entitled "A further supplement to an act, entitled 'An Act to establish a system of free banking in Pennsylvania,'" was presented to the governor, on the eighth day of April, Anno Domini one thousand eight hundred and sixty-three, and was not returned, within three days after the meeting of the present legislature; wherefore, it has, agreeably to the constitution of this commonwealth, become a law, in like manner as if it had been signed.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, *January 13, 1864.*

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No. 979.

## An Act

To authorize Jacob Hoffman, assignee, to release the lien of a mortgage.

WHEREAS, Jacob W. Seitzinger executed and delivered to George D. B. Keim a bond and mortgage, dated the twenty-ninth day of March, one thousand eight hundred and forty-one, upon a number of tracts of land, situated in Schuylkill county, which said bond and mortgage the said George D. B. Keim assigned, on the fifteenth day of March, one thousand eight

hundred and forty-four, to Jacob Hoffman, Wirt Robinson, John McKnight, John Schwartz, Matthias S. Richards, Mary Keim, Nancy Steward and Elizabeth Latwiche:

*And whereas*, By reason of the death of some of the said assignees, and by the removal of others from the state of Pennsylvania, the duties and responsibilities of the said assignment having devolved wholly upon the said Jacob Hoffman, as the co-assignee and attorney for the survivors, and the representatives of the deceased co-assignees:

*And whereas*, A part of the land, described and included in the said mortgage, was claimed by the Forest Improvement Company, by virtue of a superior title:

*And whereas*, The heirs and devisees of the said Jacob W. Seitzinger have compromised with, and released all their right, title and claim to, the said Forest Improvement Company, who nevertheless retain the purchase money, until the lien of the said mortgage be released and discharged:

*And whereas*, It is represented, by the said Jacob Hoffman, that the remaining portion of the lands, included in the said assigned mortgage, are amply sufficient to secure the payment of the said mortgage, and that a release of the lien, of the said disputed part, will not prejudice the interest, or impair the security, of the holders of the said bond and mortgage; therefore,

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Jacob Hoffman be and is hereby authorized and empowered to release and discharge the lien on so much of the land mentioned and described in the said mortgage, as interfered with, and which has, since the date of the said assignment of said mortgage, been released and conveyed by the heirs and devisees of the said Jacob W. Seitzinger, to the said Forest Improvement Company, as fully and effectually, to all intents and purposes, as if the same release had been executed and delivered by all his co-assignees.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

We do hereby certify, that the bill, entitled "An Act to authorize Jacob Hoffman, assignee, to release the lien of a mortgage," was presented to the governor, on the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-three, and was not returned, within three days after the meeting of the present legislature; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if it had been signed.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, January 13, 1864.



No. 980.

*An Act*

To authorize the court of quarter sessions of Erie county to appoint viewers, to view and lay out a road, from the east end of Third street, in the borough of Waterford, in the county of Erie, to the depot, at the Philadelphia and Erie railroad.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of quarter sessions, of the county of Erie, be and is hereby authorized, on the petition of no less than twelve of the citizens of Waterford township, in said county, asking for the appointment of viewers, to view and lay out a public road, from the east end of Third street, in said borough of Waterford, to the depot, at the Philadelphia and Erie railroad, to appoint three disinterested persons, not residents of the borough, or township of Waterford, who, or a majority of whom, after being duly sworn, shall view the ground proposed for such road, and make report of their proceedings to the next court of quarter sessions thereafter; and all proceedings, after the appointment of said viewers, shall be in accordance with the road laws of this commonwealth; and the said viewers shall each receive, for their services, one dollar per day, for each day, necessarily spent in said view, to be paid by said township: *Provided,* That no damages shall be claimed by the owner, or owners, of the land, through which said road passes.

**SECTION 2.** That said road, when laid out as aforesaid, shall be under the control, management and jurisdiction of the road commissioners of the township of Waterford, as other roads in said township.

JOHN CESSNA,  
Speaker of the House of Representatives.

GEORGE V. LAWRENCE,  
Speaker of the Senate.

We do hereby certify, that the bill, entitled "An Act to authorize the court of quarter sessions, of Erie county to appoint viewers, to view and lay out a road, from the east end of Third street, in the borough of Waterford, in the county of Erie, to the depot of the Philadelphia and Erie railroad," was presented to the governor, on the tenth day of April, Anno Domini one thousand eight hundred and sixty-three, and was not returned, within three days after the meeting of the present legislature; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if it had been signed.

ADIN W. BENEDICT,  
Clerk of the House of Representatives.

GEO. W. HAMERSLY,  
Clerk of the Senate.

HARRISBURG, January 13, 1864.

No. 981.

**An Act**

To incorporate the East Pennsylvania Iron Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators. That James M. Porter, John A. Seitz, M. H. Horn, Alfred J. Martin and John Thomas, and such other persons as shall be associated with them, or a majority of them, and their successors, be and the same are hereby erected into a body corporate and politic, under the name and style of the East Pennsylvania Iron Company, for the purpose of manufacturing iron from the crude state, into any shape, in the counties of Lehigh, or Northampton, with a capital stock of two hundred and fifty thousand dollars, with the power to increase the same to five hundred thousand dollars, to be divided into shares of fifty dollars each; the said company to be subject to all the limitations and restrictions, and to have all the powers, rights and privileges in an act, entitled "An Act to incorporate the Eastern Iron Company," passed the ninth day of April, Anno Domini one thousand eight hundred and fifty-nine, and the supplement thereto, entitled "A supplement to the act to incorporate the Eastern Iron Company," approved the twenty-second day of February, Anno Domini one thousand eight hundred and sixty.

Name.

Privileges.

Capital stock.

Subject to.

JOHN CESSNA,

Speaker of the House of Representatives.

GEORGE V. LAWRENCE,

Speaker of the Senate.

We do hereby certify, that the bill, entitled "An Act to incorporate the East Pennsylvania Iron Company," was presented to the governor, on the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-three, and was not returned, within three days after the meeting of the present legislature; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if it had been signed.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, *January 13, 1864.*

## CERTIFICATE.

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SECRETARY'S OFFICE,

HARRISBURG, *September 23, 1864.*

I certify, that in obedience to the directions of **An Act** of the General Assembly of the Commonwealth of Pennsylvania, I have collated with, and corrected by, the original rolls on file in this office, the proof-sheets of the printed copies of this edition of the Laws and Resolutions of the General Assembly, passed during the regular and extra sessions, ending respectively the fifth day of May and the twenty-fifth day of August, 1864, including an **APPENDIX**, containing laws passed at the sessions of 1854, 1858, 1861, 1862 and 1863, upon which the tax has been paid subsequently to the publication of the Pamphlet Laws of 1863.

ELI SLIFER,

*Secretary of the Commonwealth.*



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